

SB1757



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1757

Introduced 2/15/2013, by Sen. Pat McGuire

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Vehicle Code. Replaces the commercial driver instruction permit with the Commercial Learner's Permit (CLP). Allows retesting applicants or cancelling a CDL or CLP for fraud in the issuance of the CDL or CLP. Changes the definition of tank vehicle and commercial motor vehicle. Defines endorsement, manual transmission, third party tester and third party skills test examiner. Effective July 1, 2014.

LRB098 08452 MLW 38559 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 1-111.5, 1-111.6, 1-115.3, 1-204.4, 2-119, 6-101,
6 6-118, 6-201, 6-204, 6-207, 6-500, 6-502, 6-503, 6-506, 6-507,
7 6-508, 6-508.1, 6-509, 6-510, 6-511, 6-512, 6-513, 6-514,
8 6-518, 6-523, and 6-704 and by adding Sections 1-110.1a,
9 1-111.7a, 1-148.5a, 6-507.5, and 6-512.5 as follows:

10 (625 ILCS 5/1-110.1a new)

11 Sec. 1-110.1a. CDL Driver. A person holding a CDL or a
12 person required to hold a CDL.

13 (625 ILCS 5/1-111.5)

14 Sec. 1-111.5. (Blank). ~~Commercial driver instruction~~
15 ~~permit. A permit issued pursuant to Section 6-508 of this Code.~~

16 (Source: P.A. 90-89, eff. 1-1-98.)

17 (625 ILCS 5/1-111.6)

18 Sec. 1-111.6. Commercial driver's license (CDL). A license
19 issued to an individual by a state or other jurisdiction of
20 domicile, in accordance with the standards contained in 49
21 C.F.R. Part 383, ~~to an individual~~ which authorizes the

1 individual to operate a class of a commercial motor vehicle.

2 (Source: P.A. 95-382, eff. 8-23-07.)

3 (625 ILCS 5/1-111.7a new)

4 Sec. 1-111.7a. Commercial Learner's Permit (CLP). A permit
5 issued to an individual by a state or other jurisdiction of
6 domicile, in accordance with the standards contained in 49
7 C.F.R. Part 383, which, when carried with a valid driver's
8 license issued by the same state or jurisdiction of domicile,
9 authorizes the individual to operate a class of commercial
10 motor vehicle when accompanied by a holder of a valid CDL for
11 purposes of behind-the-wheel training. When issued to a CDL
12 holder, a CLP serves as authorization for accompanied
13 behind-the-wheel training in a commercial motor vehicle for
14 which the holder's current CDL is not valid.

15 (625 ILCS 5/1-115.3)

16 Sec. 1-115.3. Disqualification. Disqualification means any
17 of the following 3 actions:

18 (a) The suspension, revocation, or cancellation of a CLP or
19 CDL by the State or jurisdiction of issuance.

20 (b) Any withdrawal of a person's privileges to drive a
21 commercial motor vehicle by a State or other jurisdiction as a
22 result of a violation of State or local law relating to motor
23 vehicle traffic control (other than parking, vehicle weight or
24 vehicle defect violations).

1 (c) A determination by the Federal Motor Carrier Safety
2 Administration that a person is not qualified to operate a
3 commercial motor vehicle under 49 C.F.R. Part 391.

4 (Source: P.A. 94-307, eff. 9-30-05.)

5 (625 ILCS 5/1-148.5a new)

6 Sec. 1-148.5a. Non-CDL. Any other type of motor vehicle
7 license, such as an automobile driver's license or a motorcycle
8 license.

9 (625 ILCS 5/1-204.4)

10 Sec. 1-204.4. Tank vehicle. Any commercial motor vehicle
11 that is designed to transport any liquid or gaseous material
12 within a tank or tanks having an individual rated capacity of
13 more than 119 gallons and an aggregate rated capacity of 1,000
14 gallons or more that is either permanently or temporarily
15 attached to the vehicle or the chassis. A commercial motor
16 vehicle transporting an empty storage container tank, not
17 designed for transportation, with a rated capacity of 1,000
18 gallons or more that is temporarily attached to a flatbed
19 trailer is not considered a tank vehicle. ~~These vehicles~~
20 ~~include, but are not limited to, cargo tanks and portable~~
21 ~~tanks, as defined in 49 C.F.R. Part 171. However, for the~~
22 ~~purposes of Article V of Chapter 6 of this Code, this~~
23 ~~definition does not include portable tanks having a rated~~
24 ~~capacity of less than 1,000 gallons.~~

1 (Source: P.A. 90-89, eff. 1-1-98.)

2 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

3 Sec. 2-119. Disposition of fees and taxes.

4 (a) All moneys received from Salvage Certificates shall be
5 deposited in the Common School Fund in the State Treasury.

6 (b) Beginning January 1, 1990 and concluding December 31,
7 1994, of the money collected for each certificate of title,
8 duplicate certificate of title and corrected certificate of
9 title, \$0.50 shall be deposited into the Used Tire Management
10 Fund. Beginning January 1, 1990 and concluding December 31,
11 1994, of the money collected for each certificate of title,
12 duplicate certificate of title and corrected certificate of
13 title, \$1.50 shall be deposited in the Park and Conservation
14 Fund.

15 Beginning January 1, 1995, of the money collected for each
16 certificate of title, duplicate certificate of title and
17 corrected certificate of title, \$3.25 shall be deposited in the
18 Park and Conservation Fund. The moneys deposited in the Park
19 and Conservation Fund pursuant to this Section shall be used
20 for the acquisition and development of bike paths as provided
21 for in Section 805-420 of the Department of Natural Resources
22 (Conservation) Law (20 ILCS 805/805-420). The monies deposited
23 into the Park and Conservation Fund under this subsection shall
24 not be subject to administrative charges or chargebacks unless
25 otherwise authorized by this Act.

1 Beginning January 1, 2000, of the moneys collected for each
2 certificate of title, duplicate certificate of title, and
3 corrected certificate of title, \$48 shall be deposited into the
4 Road Fund and \$4 shall be deposited into the Motor Vehicle
5 License Plate Fund, except that if the balance in the Motor
6 Vehicle License Plate Fund exceeds \$40,000,000 on the last day
7 of a calendar month, then during the next calendar month the \$4
8 shall instead be deposited into the Road Fund.

9 Beginning January 1, 2005, of the moneys collected for each
10 delinquent vehicle registration renewal fee, \$20 shall be
11 deposited into the General Revenue Fund.

12 Except as otherwise provided in this Code, all remaining
13 moneys collected for certificates of title, and all moneys
14 collected for filing of security interests, shall be placed in
15 the General Revenue Fund in the State Treasury.

16 (c) All moneys collected for that portion of a driver's
17 license fee designated for driver education under Section 6-118
18 shall be placed in the Driver Education Fund in the State
19 Treasury.

20 (d) Beginning January 1, 1999, of the monies collected as a
21 registration fee for each motorcycle, motor driven cycle and
22 moped, 27% of each annual registration fee for such vehicle and
23 27% of each semiannual registration fee for such vehicle is
24 deposited in the Cycle Rider Safety Training Fund.

25 (e) Of the monies received by the Secretary of State as
26 registration fees or taxes or as payment of any other fee, as

1 provided in this Act, except fees received by the Secretary
2 under paragraph (7) of subsection (b) of Section 5-101 and
3 Section 5-109 of this Code, 37% shall be deposited into the
4 State Construction Fund.

5 (f) Of the total money collected for a commercial learner's
6 permit (CLP) ~~CDL instruction permit~~ or original or renewal
7 issuance of a commercial driver's license (CDL) pursuant to the
8 Uniform Commercial Driver's License Act (UCDLA): (i) \$6 of the
9 total fee for an original or renewal CDL, and \$6 of the total
10 CLP ~~CDL instruction permit~~ fee when such permit is issued to
11 any person holding a valid Illinois driver's license, shall be
12 paid into the CDLIS/AAMVAnet Trust Fund (Commercial Driver's
13 License Information System/American Association of Motor
14 Vehicle Administrators network Trust Fund) and shall be used
15 for the purposes provided in Section 6z-23 of the State Finance
16 Act and (ii) \$20 of the total fee for an original or renewal
17 CDL or CLP ~~commercial driver instruction permit~~ shall be paid
18 into the Motor Carrier Safety Inspection Fund, which is hereby
19 created as a special fund in the State Treasury, to be used by
20 the Department of State Police, subject to appropriation, to
21 hire additional officers to conduct motor carrier safety
22 inspections pursuant to Chapter 18b of this Code.

23 (g) All remaining moneys received by the Secretary of State
24 as registration fees or taxes or as payment of any other fee,
25 as provided in this Act, except fees received by the Secretary
26 under paragraph (7) (A) of subsection (b) of Section 5-101 and

1 Section 5-109 of this Code, shall be deposited in the Road Fund
2 in the State Treasury. Moneys in the Road Fund shall be used
3 for the purposes provided in Section 8.3 of the State Finance
4 Act.

5 (h) (Blank).

6 (i) (Blank).

7 (j) (Blank).

8 (k) There is created in the State Treasury a special fund
9 to be known as the Secretary of State Special License Plate
10 Fund. Money deposited into the Fund shall, subject to
11 appropriation, be used by the Office of the Secretary of State
12 (i) to help defray plate manufacturing and plate processing
13 costs for the issuance and, when applicable, renewal of any new
14 or existing registration plates authorized under this Code and
15 (ii) for grants made by the Secretary of State to benefit
16 Illinois Veterans Home libraries.

17 On or before October 1, 1995, the Secretary of State shall
18 direct the State Comptroller and State Treasurer to transfer
19 any unexpended balance in the Special Environmental License
20 Plate Fund, the Special Korean War Veteran License Plate Fund,
21 and the Retired Congressional License Plate Fund to the
22 Secretary of State Special License Plate Fund.

23 (l) The Motor Vehicle Review Board Fund is created as a
24 special fund in the State Treasury. Moneys deposited into the
25 Fund under paragraph (7) of subsection (b) of Section 5-101 and
26 Section 5-109 shall, subject to appropriation, be used by the

1 Office of the Secretary of State to administer the Motor
2 Vehicle Review Board, including without limitation payment of
3 compensation and all necessary expenses incurred in
4 administering the Motor Vehicle Review Board under the Motor
5 Vehicle Franchise Act.

6 (m) Effective July 1, 1996, there is created in the State
7 Treasury a special fund to be known as the Family
8 Responsibility Fund. Moneys deposited into the Fund shall,
9 subject to appropriation, be used by the Office of the
10 Secretary of State for the purpose of enforcing the Family
11 Financial Responsibility Law.

12 (n) The Illinois Fire Fighters' Memorial Fund is created as
13 a special fund in the State Treasury. Moneys deposited into the
14 Fund shall, subject to appropriation, be used by the Office of
15 the State Fire Marshal for construction of the Illinois Fire
16 Fighters' Memorial to be located at the State Capitol grounds
17 in Springfield, Illinois. Upon the completion of the Memorial,
18 moneys in the Fund shall be used in accordance with Section
19 3-634.

20 (o) Of the money collected for each certificate of title
21 for all-terrain vehicles and off-highway motorcycles, \$17
22 shall be deposited into the Off-Highway Vehicle Trails Fund.

23 (p) For audits conducted on or after July 1, 2003 pursuant
24 to Section 2-124(d) of this Code, 50% of the money collected as
25 audit fees shall be deposited into the General Revenue Fund.

26 (Source: P.A. 96-554, eff. 1-1-10; 97-1136, eff. 1-1-13.)

1 (625 ILCS 5/6-101) (from Ch. 95 1/2, par. 6-101)

2 Sec. 6-101. Drivers must have licenses or permits.

3 (a) No person, except those expressly exempted by Section
4 6-102, shall drive any motor vehicle upon a highway in this
5 State unless such person has a valid license or permit, or a
6 restricted driving permit, issued under the provisions of this
7 Act.

8 (b) No person shall drive a motor vehicle unless he holds a
9 valid license or permit, or a restricted driving permit issued
10 under the provisions of Section 6-205, 6-206, or 6-113 of this
11 Act. Any person to whom a license is issued under the
12 provisions of this Act must surrender to the Secretary of State
13 all valid licenses or permits, except that an applicant for a
14 non-domiciled commercial learner's permit or commercial
15 driver's license shall not be required to surrender a license
16 or permit issued by the applicant's state or country of
17 domicile. No drivers license or instruction permit shall be
18 issued to any person who holds a valid Foreign State license,
19 identification card, or permit unless such person first
20 surrenders to the Secretary of State any such valid Foreign
21 State license, identification card, or permit.

22 (b-5) Any person who commits a violation of subsection (a)
23 or (b) of this Section is guilty of a Class A misdemeanor, if
24 at the time of the violation the person's driver's license or
25 permit was cancelled under clause (a)9 of Section 6-201 of this

1 Code.

2 (c) Any person licensed as a driver hereunder shall not be
3 required by any city, village, incorporated town or other
4 municipal corporation to obtain any other license to exercise
5 the privilege thereby granted.

6 (d) In addition to other penalties imposed under this
7 Section, any person in violation of this Section who is also in
8 violation of Section 7-601 of this Code relating to mandatory
9 insurance requirements shall have his or her motor vehicle
10 immediately impounded by the arresting law enforcement
11 officer. The motor vehicle may be released to any licensed
12 driver upon a showing of proof of insurance for the motor
13 vehicle that was impounded and the notarized written consent
14 for the release by the vehicle owner.

15 (e) In addition to other penalties imposed under this
16 Section, the vehicle of any person in violation of this Section
17 who is also in violation of Section 7-601 of this Code relating
18 to mandatory insurance requirements and who, in violating this
19 Section, has caused death or personal injury to another person
20 is subject to forfeiture under Sections 36-1 and 36-2 of the
21 Criminal Code of 1961. For the purposes of this Section, a
22 personal injury shall include any type A injury as indicated on
23 the traffic accident report completed by a law enforcement
24 officer that requires immediate professional attention in
25 either a doctor's office or a medical facility. A type A injury
26 shall include severely bleeding wounds, distorted extremities,

1 and injuries that require the injured party to be carried from
2 the scene.

3 (Source: P.A. 97-229, eff. 7-28-11.)

4 (625 ILCS 5/6-118)

5 Sec. 6-118. Fees.

6 (a) The fee for licenses and permits under this Article is
7 as follows:

8 Original driver's license \$30

9 Original or renewal driver's license

10 issued to 18, 19 and 20 year olds 5

11 All driver's licenses for persons

12 age 69 through age 80 5

13 All driver's licenses for persons

14 age 81 through age 86 2

15 All driver's licenses for persons

16 age 87 or older 0

17 Renewal driver's license (except for

18 applicants ages 18, 19 and 20 or

19 age 69 and older) 30

20 Original instruction permit issued to

21 persons (except those age 69 and older)

22 who do not hold or have not previously

23 held an Illinois instruction permit or

24 driver's license 20

25 Instruction permit issued to any person

1 holding an Illinois driver's license
2 who wishes a change in classifications,
3 other than at the time of renewal 5
4 Any instruction permit issued to a person
5 age 69 and older 5
6 Instruction permit issued to any person,
7 under age 69, not currently holding a
8 valid Illinois driver's license or
9 instruction permit but who has
10 previously been issued either document
11 in Illinois 10
12 Restricted driving permit 8
13 Monitoring device driving permit 8
14 Duplicate or corrected driver's license
15 or permit 5
16 Duplicate or corrected restricted
17 driving permit 5
18 Duplicate or corrected monitoring
19 device driving permit 5
20 Duplicate driver's license or permit issued to
21 an active-duty member of the
22 United States Armed Forces,
23 the member's spouse, or
24 the dependent children living
25 with the member 0
26 Original or renewal M or L endorsement 5

1 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

2 The fees for commercial driver licenses and permits
3 under Article V shall be as follows:

4 Commercial driver's license:

5 \$6 for the CDLIS/AAMVAnet Trust Fund
6 (Commercial Driver's License Information
7 System/American Association of Motor Vehicle
8 Administrators network Trust Fund);
9 \$20 for the Motor Carrier Safety Inspection Fund;
10 \$10 for the driver's license;
11 and \$24 for the CDL: \$60

12 Renewal commercial driver's license:

13 \$6 for the CDLIS/AAMVAnet Trust Fund;
14 \$20 for the Motor Carrier Safety Inspection Fund;
15 \$10 for the driver's license; and
16 \$24 for the CDL: \$60

17 Commercial learner's driver instruction permit

18 issued to any person holding a valid
19 Illinois driver's license for the
20 purpose of changing to a
21 CDL classification: \$6 for the
22 CDLIS/AAMVAnet Trust Fund;
23 \$20 for the Motor Carrier
24 Safety Inspection Fund; and
25 \$24 for the CDL classification \$50

26 Commercial learner's driver instruction permit

1 issued to any person holding a valid
2 Illinois CDL for the purpose of
3 making a change in a classification,
4 endorsement or restriction \$5
5 CDL duplicate or corrected license \$5

6 In order to ensure the proper implementation of the Uniform
7 Commercial Driver License Act, Article V of this Chapter, the
8 Secretary of State is empowered to pro-rate the \$24 fee for the
9 commercial driver's license proportionate to the expiration
10 date of the applicant's Illinois driver's license.

11 The fee for any duplicate license or permit shall be waived
12 for any person who presents the Secretary of State's office
13 with a police report showing that his license or permit was
14 stolen.

15 The fee for any duplicate license or permit shall be waived
16 for any person age 60 or older whose driver's license or permit
17 has been lost or stolen.

18 No additional fee shall be charged for a driver's license,
19 or for a commercial driver's license, when issued to the holder
20 of an instruction permit for the same classification or type of
21 license who becomes eligible for such license.

22 (b) Any person whose license or privilege to operate a
23 motor vehicle in this State has been suspended or revoked under
24 Section 3-707, any provision of Chapter 6, Chapter 11, or
25 Section 7-205, 7-303, or 7-702 of the Family Financial
26 Responsibility Law of this Code, shall in addition to any other

1 fees required by this Code, pay a reinstatement fee as follows:

2	Suspension under Section 3-707	\$100
3	Summary suspension under Section 11-501.1	\$250
4	Summary revocation under Section 11-501.1	\$500
5	Other suspension	\$70
6	Revocation	\$500

7 However, any person whose license or privilege to operate a
8 motor vehicle in this State has been suspended or revoked for a
9 second or subsequent time for a violation of Section 11-501 or
10 11-501.1 of this Code or a similar provision of a local
11 ordinance or a similar out-of-state offense or Section 9-3 of
12 the Criminal Code of 1961 and each suspension or revocation was
13 for a violation of Section 11-501 or 11-501.1 of this Code or a
14 similar provision of a local ordinance or a similar
15 out-of-state offense or Section 9-3 of the Criminal Code of
16 1961 shall pay, in addition to any other fees required by this
17 Code, a reinstatement fee as follows:

18	Summary suspension under Section 11-501.1	\$500
19	Summary revocation under Section 11-501.1	\$500
20	Revocation	\$500

21 (c) All fees collected under the provisions of this Chapter
22 6 shall be paid into the Road Fund in the State Treasury except
23 as follows:

24 1. The following amounts shall be paid into the Driver
25 Education Fund:

26 (A) \$16 of the \$20 fee for an original driver's

1 instruction permit;

2 (B) \$5 of the \$30 fee for an original driver's
3 license;

4 (C) \$5 of the \$30 fee for a 4 year renewal driver's
5 license;

6 (D) \$4 of the \$8 fee for a restricted driving
7 permit; and

8 (E) \$4 of the \$8 fee for a monitoring device
9 driving permit.

10 2. \$30 of the \$250 fee for reinstatement of a license
11 summarily suspended under Section 11-501.1 shall be
12 deposited into the Drunk and Drugged Driving Prevention
13 Fund. However, for a person whose license or privilege to
14 operate a motor vehicle in this State has been suspended or
15 revoked for a second or subsequent time for a violation of
16 Section 11-501 or 11-501.1 of this Code or Section 9-3 of
17 the Criminal Code of 1961, \$190 of the \$500 fee for
18 reinstatement of a license summarily suspended under
19 Section 11-501.1, and \$190 of the \$500 fee for
20 reinstatement of a revoked license shall be deposited into
21 the Drunk and Drugged Driving Prevention Fund. \$190 of the
22 \$500 fee for reinstatement of a license summarily revoked
23 pursuant to Section 11-501.1 shall be deposited into the
24 Drunk and Drugged Driving Prevention Fund.

25 3. \$6 of the ~~such~~ original or renewal fee for a
26 commercial driver's license and \$6 of the commercial

1 learner's ~~driver instruction~~ permit fee when the ~~such~~
2 permit is issued to any person holding a valid Illinois
3 driver's license, shall be paid into the CDLIS/AAMVAnet
4 Trust Fund.

5 4. \$30 of the \$70 fee for reinstatement of a license
6 suspended under the Family Financial Responsibility Law
7 shall be paid into the Family Responsibility Fund.

8 5. The \$5 fee for each original or renewal M or L
9 endorsement shall be deposited into the Cycle Rider Safety
10 Training Fund.

11 6. \$20 of any original or renewal fee for a commercial
12 driver's license or commercial learner's ~~driver~~
13 ~~instruction~~ permit shall be paid into the Motor Carrier
14 Safety Inspection Fund.

15 7. The following amounts shall be paid into the General
16 Revenue Fund:

17 (A) \$190 of the \$250 reinstatement fee for a
18 summary suspension under Section 11-501.1;

19 (B) \$40 of the \$70 reinstatement fee for any other
20 suspension provided in subsection (b) of this Section;
21 and

22 (C) \$440 of the \$500 reinstatement fee for a first
23 offense revocation and \$310 of the \$500 reinstatement
24 fee for a second or subsequent revocation.

25 (d) All of the proceeds of the additional fees imposed by
26 this amendatory Act of the 96th General Assembly shall be

1 deposited into the Capital Projects Fund.

2 (e) The additional fees imposed by this amendatory Act of
3 the 96th General Assembly shall become effective 90 days after
4 becoming law.

5 (f) As used in this Section, "active-duty member of the
6 United States Armed Forces" means a member of the Armed
7 Services or Reserve Forces of the United States or a member of
8 the Illinois National Guard who is called to active duty
9 pursuant to an executive order of the President of the United
10 States, an act of the Congress of the United States, or an
11 order of the Governor.

12 (Source: P.A. 96-34, eff. 7-13-09; 96-38, eff. 7-13-09;
13 96-1231, eff. 7-23-10; 96-1344, eff. 7-1-11; 97-333, eff.
14 8-12-11.)

15 (625 ILCS 5/6-201)

16 Sec. 6-201. Authority to cancel licenses and permits.

17 (a) The Secretary of State is authorized to cancel any
18 license or permit upon determining that the holder thereof:

19 1. was not entitled to the issuance thereof hereunder;

20 or

21 2. failed to give the required or correct information
22 in his application; or

23 3. failed to pay any fees, civil penalties owed to the
24 Illinois Commerce Commission, or taxes due under this Act
25 and upon reasonable notice and demand; or

1 4. committed any fraud in the making of such
2 application; or

3 5. is ineligible therefor under the provisions of
4 Section 6-103 of this Act, as amended; or

5 6. has refused or neglected to submit an alcohol, drug,
6 and intoxicating compound evaluation or to submit to
7 examination or re-examination as required under this Act;
8 or

9 7. has been convicted of violating the Cannabis Control
10 Act, the Illinois Controlled Substances Act, the
11 Methamphetamine Control and Community Protection Act, or
12 the Use of Intoxicating Compounds Act while that individual
13 was in actual physical control of a motor vehicle. For
14 purposes of this Section, any person placed on probation
15 under Section 10 of the Cannabis Control Act, Section 410
16 of the Illinois Controlled Substances Act, or Section 70 of
17 the Methamphetamine Control and Community Protection Act
18 shall not be considered convicted. Any person found guilty
19 of this offense, while in actual physical control of a
20 motor vehicle, shall have an entry made in the court record
21 by the judge that this offense did occur while the person
22 was in actual physical control of a motor vehicle and order
23 the clerk of the court to report the violation to the
24 Secretary of State as such. After the cancellation, the
25 Secretary of State shall not issue a new license or permit
26 for a period of one year after the date of cancellation.

1 However, upon application, the Secretary of State may, if
2 satisfied that the person applying will not endanger the
3 public safety, or welfare, issue a restricted driving
4 permit granting the privilege of driving a motor vehicle
5 between the petitioner's residence and petitioner's place
6 of employment or within the scope of the petitioner's
7 employment related duties, or to allow transportation for
8 the petitioner or a household member of the petitioner's
9 family for the receipt of necessary medical care, or
10 provide transportation for the petitioner to and from
11 alcohol or drug remedial or rehabilitative activity
12 recommended by a licensed service provider, or for the
13 petitioner to attend classes, as a student, in an
14 accredited educational institution. The petitioner must
15 demonstrate that no alternative means of transportation is
16 reasonably available; provided that the Secretary's
17 discretion shall be limited to cases where undue hardship,
18 as defined by the rules of the Secretary of State, would
19 result from a failure to issue such restricted driving
20 permit. In each case the Secretary of State may issue such
21 restricted driving permit for such period as he deems
22 appropriate, except that such permit shall expire within
23 one year from the date of issuance. A restricted driving
24 permit issued hereunder shall be subject to cancellation,
25 revocation and suspension by the Secretary of State in like
26 manner and for like cause as a driver's license issued

1 hereunder may be cancelled, revoked or suspended; except
2 that a conviction upon one or more offenses against laws or
3 ordinances regulating the movement of traffic shall be
4 deemed sufficient cause for the revocation, suspension or
5 cancellation of a restricted driving permit. The Secretary
6 of State may, as a condition to the issuance of a
7 restricted driving permit, require the applicant to
8 participate in a driver remedial or rehabilitative
9 program. In accordance with 49 C.F.R. 384, the Secretary of
10 State may not issue a restricted driving permit for the
11 operation of a commercial motor vehicle to a person holding
12 a CDL whose driving privileges have been revoked,
13 suspended, cancelled, or disqualified under this Code; or

14 8. failed to submit a report as required by Section
15 6-116.5 of this Code; or

16 9. has been convicted of a sex offense as defined in
17 the Sex Offender Registration Act. The driver's license
18 shall remain cancelled until the driver registers as a sex
19 offender as required by the Sex Offender Registration Act,
20 proof of the registration is furnished to the Secretary of
21 State and the sex offender provides proof of current
22 address to the Secretary; or

23 10. is ineligible for a license or permit under Section
24 6-107, 6-107.1, or 6-108 of this Code; or

25 11. refused or neglected to appear at a Driver Services
26 facility to have the license or permit corrected and a new

1 license or permit issued or to present documentation for
2 verification of identity; or

3 12. failed to submit a medical examiner's certificate
4 or medical variance as required by 49 C.F.R. 383.71 or
5 submitted a fraudulent medical examiner's certificate or
6 medical variance; or

7 13. has had his or her medical examiner's certificate,
8 medical variance, or both removed or rescinded by the
9 Federal Motor Carrier Safety Administration; or

10 14. failed to self-certify as to the type of driving in
11 which the CDL driver engages or expects to engage; or

12 15. was convicted of fraud relating to the testing or
13 issuance of a CDL or CLP, in which case only the CDL or CLP
14 shall be cancelled. After cancellation, the Secretary
15 shall not issue a CLP or CDL for a period of one year from
16 the date of cancellation.

17 (b) Upon such cancellation the licensee or permittee must
18 surrender the license or permit so cancelled to the Secretary
19 of State.

20 (c) Except as provided in Sections 6-206.1 and 7-702.1, the
21 Secretary of State shall have exclusive authority to grant,
22 issue, deny, cancel, suspend and revoke driving privileges,
23 drivers' licenses and restricted driving permits.

24 (d) The Secretary of State may adopt rules to implement
25 this Section.

26 (Source: P.A. 97-208, eff. 1-1-12; 97-229; eff. 7-28-11;

1 97-813, eff. 7-13-12; 97-835, eff. 7-20-12.)

2 (625 ILCS 5/6-204) (from Ch. 95 1/2, par. 6-204)

3 Sec. 6-204. When Court to forward License and Reports.

4 (a) For the purpose of providing to the Secretary of State
5 the records essential to the performance of the Secretary's
6 duties under this Code to cancel, revoke or suspend the
7 driver's license and privilege to drive motor vehicles of
8 certain minors adjudicated truant minors in need of
9 supervision, addicted, or delinquent and of persons found
10 guilty of the criminal offenses or traffic violations which
11 this Code recognizes as evidence relating to unfitness to
12 safely operate motor vehicles, the following duties are imposed
13 upon public officials:

14 (1) Whenever any person is convicted of any offense for
15 which this Code makes mandatory the cancellation or
16 revocation of the driver's license or permit of such person
17 by the Secretary of State, the judge of the court in which
18 such conviction is had shall require the surrender to the
19 clerk of the court of all driver's licenses or permits then
20 held by the person so convicted, and the clerk of the court
21 shall, within 5 days thereafter, forward the same, together
22 with a report of such conviction, to the Secretary.

23 (2) Whenever any person is convicted of any offense
24 under this Code or similar offenses under a municipal
25 ordinance, other than regulations governing standing,

1 parking or weights of vehicles, and excepting the following
2 enumerated Sections of this Code: Sections 11-1406
3 (obstruction to driver's view or control), 11-1407
4 (improper opening of door into traffic), 11-1410 (coasting
5 on downgrade), 11-1411 (following fire apparatus),
6 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101 (driving
7 vehicle which is in unsafe condition or improperly
8 equipped), 12-201(a) (daytime lights on motorcycles),
9 12-202 (clearance, identification and side marker lamps),
10 12-204 (lamp or flag on projecting load), 12-205 (failure
11 to display the safety lights required), 12-401
12 (restrictions as to tire equipment), 12-502 (mirrors),
13 12-503 (windshields must be unobstructed and equipped with
14 wipers), 12-601 (horns and warning devices), 12-602
15 (mufflers, prevention of noise or smoke), 12-603 (seat
16 safety belts), 12-702 (certain vehicles to carry flares or
17 other warning devices), 12-703 (vehicles for oiling roads
18 operated on highways), 12-710 (splash guards and
19 replacements), 13-101 (safety tests), 15-101 (size, weight
20 and load), 15-102 (width), 15-103 (height), 15-104 (name
21 and address on second division vehicles), 15-107 (length of
22 vehicle), 15-109.1 (cover or tarpaulin), 15-111 (weights),
23 15-112 (weights), 15-301 (weights), 15-316 (weights),
24 15-318 (weights), and also excepting the following
25 enumerated Sections of the Chicago Municipal Code:
26 Sections 27-245 (following fire apparatus), 27-254

1 (obstruction of traffic), 27-258 (driving vehicle which is
2 in unsafe condition), 27-259 (coasting on downgrade),
3 27-264 (use of horns and signal devices), 27-265
4 (obstruction to driver's view or driver mechanism), 27-267
5 (dimming of headlights), 27-268 (unattended motor
6 vehicle), 27-272 (illegal funeral procession), 27-273
7 (funeral procession on boulevard), 27-275 (driving freight
8 hauling vehicles on boulevard), 27-276 (stopping and
9 standing of buses or taxicabs), 27-277 (cruising of public
10 passenger vehicles), 27-305 (parallel parking), 27-306
11 (diagonal parking), 27-307 (parking not to obstruct
12 traffic), 27-308 (stopping, standing or parking
13 regulated), 27-311 (parking regulations), 27-312 (parking
14 regulations), 27-313 (parking regulations), 27-314
15 (parking regulations), 27-315 (parking regulations),
16 27-316 (parking regulations), 27-317 (parking
17 regulations), 27-318 (parking regulations), 27-319
18 (parking regulations), 27-320 (parking regulations),
19 27-321 (parking regulations), 27-322 (parking
20 regulations), 27-324 (loading and unloading at an angle),
21 27-333 (wheel and axle loads), 27-334 (load restrictions in
22 the downtown district), 27-335 (load restrictions in
23 residential areas), 27-338 (width of vehicles), 27-339
24 (height of vehicles), 27-340 (length of vehicles), 27-352
25 (reflectors on trailers), 27-353 (mufflers), 27-354
26 (display of plates), 27-355 (display of city vehicle tax

1 sticker), 27-357 (identification of vehicles), 27-358
2 (projecting of loads), and also excepting the following
3 enumerated paragraphs of Section 2-201 of the Rules and
4 Regulations of the Illinois State Toll Highway Authority:
5 (l) (driving unsafe vehicle on tollway), (m) (vehicles
6 transporting dangerous cargo not properly indicated), it
7 shall be the duty of the clerk of the court in which such
8 conviction is had within 5 days thereafter to forward to
9 the Secretary of State a report of the conviction and the
10 court may recommend the suspension of the driver's license
11 or permit of the person so convicted.

12 The reporting requirements of this subsection shall apply
13 to all violations stated in paragraphs (1) and (2) of this
14 subsection when the individual has been adjudicated under the
15 Juvenile Court Act or the Juvenile Court Act of 1987. Such
16 reporting requirements shall also apply to individuals
17 adjudicated under the Juvenile Court Act or the Juvenile Court
18 Act of 1987 who have committed a violation of Section 11-501 of
19 this Code, or similar provision of a local ordinance, or
20 Section 9-3 of the Criminal Code of 1961, as amended, relating
21 to the offense of reckless homicide. These reporting
22 requirements also apply to individuals adjudicated under the
23 Juvenile Court Act of 1987 based on any offense determined to
24 have been committed in furtherance of the criminal activities
25 of an organized gang, as provided in Section 5-710 of that Act,
26 and that involved the operation or use of a motor vehicle or

1 the use of a driver's license or permit. The reporting
2 requirements of this subsection shall also apply to a truant
3 minor in need of supervision, an addicted minor, or a
4 delinquent minor and whose driver's license and privilege to
5 drive a motor vehicle has been ordered suspended for such times
6 as determined by the Court, but only until he or she attains 18
7 years of age. It shall be the duty of the clerk of the court in
8 which adjudication is had within 5 days thereafter to forward
9 to the Secretary of State a report of the adjudication and the
10 court order requiring the Secretary of State to suspend the
11 minor's driver's license and driving privilege for such time as
12 determined by the Court, but only until he or she attains the
13 age of 18 years. All juvenile court dispositions reported to
14 the Secretary of State under this provision shall be processed
15 by the Secretary of State as if the cases had been adjudicated
16 in traffic or criminal court. However, information reported
17 relative to the offense of reckless homicide, or Section 11-501
18 of this Code, or a similar provision of a local ordinance,
19 shall be privileged and available only to the Secretary of
20 State, courts, and police officers.

21 The reporting requirements of this subsection (a)
22 apply to all violations listed in paragraphs (1) and (2) of
23 this subsection (a), excluding parking violations, when
24 the driver holds a CLP or CDL, regardless of the type of
25 vehicle in which the violation occurred, or when any driver
26 committed the violation in a commercial motor vehicle as

1 defined in Section 6-500 of this Code.

2 (3) Whenever an order is entered vacating the
3 forfeiture of any bail, security or bond given to secure
4 appearance for any offense under this Code or similar
5 offenses under municipal ordinance, it shall be the duty of
6 the clerk of the court in which such vacation was had or
7 the judge of such court if such court has no clerk, within
8 5 days thereafter to forward to the Secretary of State a
9 report of the vacation.

10 (4) A report of any disposition of court supervision
11 for a violation of Sections 6-303, 11-401, 11-501 or a
12 similar provision of a local ordinance, 11-503, 11-504, and
13 11-506 shall be forwarded to the Secretary of State. A
14 report of any disposition of court supervision for a
15 violation of an offense defined as a serious traffic
16 violation in this Code or a similar provision of a local
17 ordinance committed by a person under the age of 21 years
18 shall be forwarded to the Secretary of State.

19 (5) Reports of conviction under this Code and
20 sentencing hearings under the Juvenile Court Act of 1987 in
21 an electronic format or a computer processible medium shall
22 be forwarded to the Secretary of State via the Supreme
23 Court in the form and format required by the Illinois
24 Supreme Court and established by a written agreement
25 between the Supreme Court and the Secretary of State. In
26 counties with a population over 300,000, instead of

1 forwarding reports to the Supreme Court, reports of
2 conviction under this Code and sentencing hearings under
3 the Juvenile Court Act of 1987 in an electronic format or a
4 computer processible medium may be forwarded to the
5 Secretary of State by the Circuit Court Clerk in a form and
6 format required by the Secretary of State and established
7 by written agreement between the Circuit Court Clerk and
8 the Secretary of State. Failure to forward the reports of
9 conviction or sentencing hearing under the Juvenile Court
10 Act of 1987 as required by this Section shall be deemed an
11 omission of duty and it shall be the duty of the several
12 State's Attorneys to enforce the requirements of this
13 Section.

14 (b) Whenever a restricted driving permit is forwarded to a
15 court, as a result of confiscation by a police officer pursuant
16 to the authority in Section 6-113(f), it shall be the duty of
17 the clerk, or judge, if the court has no clerk, to forward such
18 restricted driving permit and a facsimile of the officer's
19 citation to the Secretary of State as expeditiously as
20 practicable.

21 (c) For the purposes of this Code, a forfeiture of bail or
22 collateral deposited to secure a defendant's appearance in
23 court when forfeiture has not been vacated, or the failure of a
24 defendant to appear for trial after depositing his driver's
25 license in lieu of other bail, shall be equivalent to a
26 conviction.

1 (d) For the purpose of providing the Secretary of State
2 with records necessary to properly monitor and assess driver
3 performance and assist the courts in the proper disposition of
4 repeat traffic law offenders, the clerk of the court shall
5 forward to the Secretary of State, on a form prescribed by the
6 Secretary, records of a driver's participation in a driver
7 remedial or rehabilitative program which was required, through
8 a court order or court supervision, in relation to the driver's
9 arrest for a violation of Section 11-501 of this Code or a
10 similar provision of a local ordinance. The clerk of the court
11 shall also forward to the Secretary, either on paper or in an
12 electronic format or a computer processible medium as required
13 under paragraph (5) of subsection (a) of this Section, any
14 disposition of court supervision for any traffic violation,
15 excluding those offenses listed in paragraph (2) of subsection
16 (a) of this Section. These reports shall be sent within 5 days
17 after disposition, or, if the driver is referred to a driver
18 remedial or rehabilitative program, within 5 days of the
19 driver's referral to that program. These reports received by
20 the Secretary of State, including those required to be
21 forwarded under paragraph (a)(4), shall be privileged
22 information, available only (i) to the affected driver, (ii) to
23 the parent or guardian of a person under the age of 18 years
24 holding an instruction permit or a graduated driver's license,
25 and (iii) for use by the courts, police officers, prosecuting
26 authorities, the Secretary of State, and the driver licensing

1 administrator of any other state. In accordance with 49 C.F.R.
2 Part 384, all reports of court supervision, except violations
3 related to parking, shall be forwarded to the Secretary of
4 State for all holders of a CLP or CDL or any driver who commits
5 an offense while driving a commercial motor vehicle. These
6 reports shall be recorded to the driver's record as a
7 conviction for use in the disqualification of the driver's
8 commercial motor vehicle privileges and shall not be privileged
9 information.

10 (Source: P.A. 94-307, eff. 9-30-05; 94-930, eff. 6-26-06;
11 95-201, eff. 1-1-08; 95-310, eff. 1-1-08; 95-337, eff. 6-1-08;
12 95-382, eff. 8-23-07; 95-876, eff. 8-21-08.)

13 (625 ILCS 5/6-207) (from Ch. 95 1/2, par. 6-207)

14 Sec. 6-207. Secretary of State may require reexamination or
15 reissuance of a license.

16 (a) The Secretary of State, having good cause to believe
17 that a licensed driver or person holding a permit or applying
18 for a license or license renewal is incompetent or otherwise
19 not qualified to hold a license or permit, may upon written
20 notice of at least 5 days to the person require the person to
21 submit to an examination as prescribed by the Secretary.

22 Refusal or neglect of the person to submit an alcohol,
23 drug, or intoxicating compound evaluation or submit to or
24 failure to successfully complete the examination is grounds for
25 suspension of the person's license or permit under Section

1 6-206 of this Act or cancellation of his license or permit
2 under Section 6-201 of this Act.

3 (b) The Secretary of State, having issued a driver's
4 license or permit in error, may upon written notice of at least
5 5 days to the person, require the person to appear at a Driver
6 Services facility to have the license or permit error corrected
7 and a new license or permit issued.

8 Refusal or neglect of the person to appear is grounds for
9 cancellation of the person's license or permit under Section
10 6-201 of this Act.

11 (c) The Secretary of State, having issued a driver's
12 license or permit to a person who subsequently becomes
13 ineligible to retain that license or permit as currently
14 issued, may, upon written notice of at least 5 days to the
15 person, require the person to appear at a Driver Services
16 facility to have the license or permit corrected and a new
17 license or permit issued.

18 (d) The Secretary of State, having good cause to believe
19 that a driver's license or permit was issued based on invalid,
20 fictitious, or fraudulent documents, may upon written notice of
21 at least 5 days require the person to appear at a Driver
22 Services facility to present valid documents for verification
23 of identity. Refusal or neglect of the person to appear shall
24 result in cancellation of the person's license or permit.

25 (e) Under 49 C.F.R. 383.73 if the Secretary of State
26 receives credible information that a CLP or CDL was issued and

1 fraud was committed relating to the issuance of the CLP or CDL,
2 the Secretary shall require the CLP or CDL holder to re-submit
3 to all testing required for the issuance of the CLP or CDL
4 (written, pre-trip, skills, and road exams). Upon written
5 notification by the Secretary, the holder shall have 5 days to
6 submit to re-examination. Failure to appear or successfully
7 complete the examination will result in the cancellation of the
8 CLP or CDL under Section 6-201 of this Act.

9 (Source: P.A. 97-229, eff. 7-28-11.)

10 (625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

11 Sec. 6-500. Definitions of words and phrases.
12 Notwithstanding the definitions set forth elsewhere in this
13 Code, for purposes of the Uniform Commercial Driver's License
14 Act (UCDLA), the words and phrases listed below have the
15 meanings ascribed to them as follows:

16 (1) Alcohol. "Alcohol" means any substance containing any
17 form of alcohol, including but not limited to ethanol,
18 methanol, propanol, and isopropanol.

19 (2) Alcohol concentration. "Alcohol concentration" means:

20 (A) the number of grams of alcohol per 210 liters of
21 breath; or

22 (B) the number of grams of alcohol per 100 milliliters
23 of blood; or

24 (C) the number of grams of alcohol per 67 milliliters
25 of urine.

1 Alcohol tests administered within 2 hours of the driver
2 being "stopped or detained" shall be considered that driver's
3 "alcohol concentration" for the purposes of enforcing this
4 UCCLA.

5 (3) (Blank).

6 (4) (Blank).

7 (5) (Blank).

8 (5.3) CDLIS driver record. "CDLIS driver record" means the
9 electronic record of the individual CDL driver's status and
10 history stored by the State-of-Record as part of the Commercial
11 Driver's License Information System, or CDLIS, established
12 under 49 U.S.C. 31309.

13 (5.5) CDLIS motor vehicle record. "CDLIS motor vehicle
14 record" or "CDLIS MVR" means a report generated from the CDLIS
15 driver record meeting the requirements for access to CDLIS
16 information and provided by states to users authorized in 49
17 C.F.R. 384.225(e)(3) and (4), subject to the provisions of the
18 Driver Privacy Protection Act, 18 U.S.C. 2721-2725.

19 (5.7) Commercial driver's license downgrade. "Commercial
20 driver's license downgrade" or "CDL downgrade" means either:

21 (A) a state allows the driver to change his or her
22 self-certification to interstate, but operating
23 exclusively in transportation or operation excepted from
24 49 C.F.R. Part 391, as provided in 49 C.F.R. 390.3(f),
25 391.2, 391.68, or 398.3;

26 (B) a state allows the driver to change his or her

1 self-certification to intrastate only, if the driver
2 qualifies under that state's physical qualification
3 requirements for intrastate only;

4 (C) a state allows the driver to change his or her
5 certification to intrastate, but operating exclusively in
6 transportation or operations excepted from all or part of
7 the state driver qualification requirements; or

8 (D) a state removes the CDL privilege from the driver
9 license.

10 (6) Commercial Motor Vehicle.

11 (A) "Commercial motor vehicle" or "CMV" means a motor
12 vehicle or combination of motor vehicles used in commerce,
13 except those referred to in subdivision (B), designed to
14 transport passengers or property if the motor vehicle:

15 (i) has a gross combination weight rating or gross
16 combination weight of 11,794 kilograms or more (26,001
17 pounds or more), whichever is greater, inclusive of any
18 towed unit with a gross vehicle weight rating or gross
19 vehicle weight of more than 4,536 kilograms (10,000
20 pounds), whichever is greater ~~the vehicle has a GVWR of~~
21 ~~26,001 pounds or more or such a lesser GVWR as~~
22 ~~subsequently determined by federal regulations or the~~
23 ~~Secretary of State; or any combination of vehicles with~~
24 ~~a GCWR of 26,001 pounds or more, provided the GVWR of~~
25 ~~any vehicle or vehicles being towed is 10,001 pounds or~~
26 ~~more; or~~

1 (i-5) has a gross vehicle weight rating or gross
2 vehicle weight of 11,794 or more kilograms (26,001
3 pounds or more), whichever is greater; or

4 (ii) ~~the vehicle~~ is designed to transport 16 or
5 more persons, including the driver; or

6 (iii) ~~the vehicle~~ is of any size and is used in
7 transporting hazardous materials as defined in 49
8 C.F.R. Part 383.5 ~~and is required to be placarded in~~
9 ~~accordance with 49 C.F.R. Part 172, subpart F.~~

10 (B) Pursuant to the interpretation of the Commercial
11 Motor Vehicle Safety Act of 1986 by the Federal Highway
12 Administration, the definition of "commercial motor
13 vehicle" does not include:

14 (i) recreational vehicles, when operated primarily
15 for personal use;

16 (ii) vehicles owned by or operated under the
17 direction of the United States Department of Defense or
18 the United States Coast Guard only when operated by
19 non-civilian personnel. This includes any operator on
20 active military duty; members of the Reserves;
21 National Guard; personnel on part-time training; and
22 National Guard military technicians (civilians who are
23 required to wear military uniforms and are subject to
24 the Code of Military Justice); or

25 (iii) firefighting, police, and other emergency
26 equipment (including, without limitation, equipment

1 owned or operated by a HazMat or technical rescue team
2 authorized by a county board under Section 5-1127 of
3 the Counties Code), with audible and visual signals,
4 owned or operated by or for a governmental entity,
5 which is necessary to the preservation of life or
6 property or the execution of emergency governmental
7 functions which are normally not subject to general
8 traffic rules and regulations.

9 (7) Controlled Substance. "Controlled substance" shall
10 have the same meaning as defined in Section 102 of the Illinois
11 Controlled Substances Act, and shall also include cannabis as
12 defined in Section 3 of the Cannabis Control Act and
13 methamphetamine as defined in Section 10 of the Methamphetamine
14 Control and Community Protection Act.

15 (8) Conviction. "Conviction" means an unvacated
16 adjudication of guilt or a determination that a person has
17 violated or failed to comply with the law in a court of
18 original jurisdiction or by an authorized administrative
19 tribunal; an unvacated forfeiture of bail or collateral
20 deposited to secure the person's appearance in court; a plea of
21 guilty or nolo contendere accepted by the court; the payment of
22 a fine or court cost regardless of whether the imposition of
23 sentence is deferred and ultimately a judgment dismissing the
24 underlying charge is entered; or a violation of a condition of
25 release without bail, regardless of whether or not the penalty
26 is rebated, suspended or probated.

1 (8.5) Day. "Day" means calendar day.

2 (9) (Blank).

3 (10) (Blank).

4 (11) (Blank).

5 (12) (Blank).

6 (13) Driver. "Driver" means any person who drives,
7 operates, or is in physical control of a commercial motor
8 vehicle, any person who is required to hold a CDL, or any
9 person who is a holder of a CDL while operating a
10 non-commercial motor vehicle.

11 (13.5) Driver applicant. "Driver applicant" means an
12 individual who applies to a state or other jurisdiction to
13 obtain, transfer, upgrade, or renew a CDL or to obtain or renew
14 a CLP.

15 (13.8) Electronic device. "Electronic device" includes,
16 but is not limited to, a cellular telephone, personal digital
17 assistant, pager, computer, or any other device used to input,
18 write, send, receive, or read text.

19 (14) Employee. "Employee" means a person who is employed as
20 a commercial motor vehicle driver. A person who is
21 self-employed as a commercial motor vehicle driver must comply
22 with the requirements of this UCCLA pertaining to employees. An
23 owner-operator on a long-term lease shall be considered an
24 employee.

25 (15) Employer. "Employer" means a person (including the
26 United States, a State or a local authority) who owns or leases

1 a commercial motor vehicle or assigns employees to operate such
2 a vehicle. A person who is self-employed as a commercial motor
3 vehicle driver must comply with the requirements of this UCCLA.

4 (15.1) Endorsement. "Endorsement" means an authorization
5 to an individual's CLP or CDL required to permit the individual
6 to operate certain types of commercial motor vehicles.

7 (15.3) Excepted interstate. "Excepted interstate" means a
8 person who operates or expects to operate in interstate
9 commerce, but engages exclusively in transportation or
10 operations excepted under 49 C.F.R. 390.3(f), 391.2, 391.68, or
11 398.3 from all or part of the qualification requirements of 49
12 C.F.R. Part 391 and is not required to obtain a medical
13 examiner's certificate by 49 C.F.R. 391.45.

14 (15.5) Excepted intrastate. "Excepted intrastate" means a
15 person who operates in intrastate commerce but engages
16 exclusively in transportation or operations excepted from all
17 or parts of the state driver qualification requirements.

18 (16) (Blank).

19 (16.5) Fatality. "Fatality" means the death of a person as
20 a result of a motor vehicle accident.

21 (17) Foreign jurisdiction. "Foreign jurisdiction" means a
22 sovereign jurisdiction that does not fall within the definition
23 of "State".

24 (18) (Blank).

25 (19) (Blank).

26 (20) Hazardous materials. "Hazardous Material" means any

1 material that has been designated under 49 U.S.C. 5103 and is
2 required to be placarded under subpart F of 49 C.F.R. part 172
3 or any quantity of a material listed as a select agent or toxin
4 in 42 C.F.R. part 73.

5 (20.5) Imminent Hazard. "Imminent hazard" means the
6 existence of a condition relating to hazardous material that
7 presents a substantial likelihood that death, serious illness,
8 severe personal injury, or a substantial endangerment to
9 health, property, or the environment may occur before the
10 reasonably foreseeable completion date of a formal proceeding
11 begun to lessen the risk of that death, illness, injury or
12 endangerment.

13 (20.6) Issuance. "Issuance" means initial issuance,
14 transfer, renewal, or upgrade of a CLP or CDL and non-domiciled
15 CLP or CDL.

16 (20.7) Issue. "Issue" means initial issuance, transfer,
17 renewal, or upgrade of a CLP or CDL and non-domiciled CLP or
18 non-domiciled CDL.

19 (21) Long-term lease. "Long-term lease" means a lease of a
20 commercial motor vehicle by the owner-lessor to a lessee, for a
21 period of more than 29 days.

22 (21.01) Manual transmission. "Manual transmission" means a
23 transmission utilizing a driver-operated clutch that is
24 activated by a pedal or lever and a gear-shift mechanism
25 operated either by hand or foot including those known as a
26 stick shift, stick, straight drive, or standard transmission.

1 All other transmissions, whether semi-automatic or automatic,
2 shall be considered automatic for the purposes of the
3 standardized restriction code.

4 (21.1) Medical examiner. "Medical examiner" means a person
5 who is licensed, certified, or registered in accordance with
6 applicable state laws and regulations to perform physical
7 examinations. The term includes but is not limited to doctors
8 of medicine, doctors of osteopathy, physician assistants,
9 advanced practice nurses, and doctors of chiropractic.

10 (21.2) Medical examiner's certificate. "Medical examiner's
11 certificate" means a document prescribed or approved by the
12 Secretary of State that is issued by a medical examiner to a
13 driver to medically qualify him or her to drive.

14 (21.5) Medical variance. "Medical variance" means a driver
15 has received one of the following from the Federal Motor
16 Carrier Safety Administration which allows the driver to be
17 issued a medical certificate: (1) an exemption letter
18 permitting operation of a commercial motor vehicle pursuant to
19 49 C.F.R. Part 381, Subpart C or 49 C.F.R. 391.64; or (2) a
20 skill performance evaluation (SPE) certificate permitting
21 operation of a commercial motor vehicle pursuant to 49 C.F.R.
22 391.49.

23 (21.7) Mobile telephone. "Mobile telephone" means a mobile
24 communication device that falls under or uses any commercial
25 mobile radio service, as defined in regulations of the Federal
26 Communications Commission, 47 CFR 20.3. It does not include

1 two-way or citizens band radio services.

2 (22) Motor Vehicle. "Motor vehicle" means every vehicle
3 which is self-propelled, and every vehicle which is propelled
4 by electric power obtained from over head trolley wires but not
5 operated upon rails, except vehicles moved solely by human
6 power and motorized wheel chairs.

7 (22.2) Motor vehicle record. "Motor vehicle record" means a
8 report of the driving status and history of a driver generated
9 from the driver record provided to users, such as drivers or
10 employers, and is subject to the provisions of the Driver
11 Privacy Protection Act, 18 U.S.C. 2721-2725.

12 (22.5) Non-CMV. "Non-CMV" means a motor vehicle or
13 combination of motor vehicles not defined by the term
14 "commercial motor vehicle" or "CMV" in this Section.

15 (22.7) Non-excepted interstate. "Non-excepted interstate"
16 means a person who operates or expects to operate in interstate
17 commerce, is subject to and meets the qualification
18 requirements under 49 C.F.R. Part 391, and is required to
19 obtain a medical examiner's certificate by 49 C.F.R. 391.45.

20 (22.8) Non-excepted intrastate. "Non-excepted intrastate"
21 means a person who operates only in intrastate commerce and is
22 subject to State driver qualification requirements.

23 (23) Non-domiciled CLP or Non-domiciled ~~Non-resident~~ CDL.
24 "Non-domiciled CLP" or "Non-domiciled ~~Non-resident~~ CDL" means
25 a CLP or CDL, respectively, ~~commercial driver's license~~ issued
26 by a state or other jurisdiction under either of the following

1 two conditions:

2 (i) to an individual domiciled in a foreign country
3 meeting the requirements of Part 383.23(b)(1) of 49 C.F.R.
4 of the Federal Motor Carrier Safety Administration.

5 (ii) to an individual domiciled in another state
6 meeting the requirements of Part 383.23(b)(2) of 49 C.F.R.
7 of the Federal Motor Carrier Safety Administration.

8 (24) (Blank).

9 (25) (Blank).

10 (25.5) Railroad-Highway Grade Crossing Violation.

11 "Railroad-highway grade crossing violation" means a violation,
12 while operating a commercial motor vehicle, of any of the
13 following:

14 (A) Section 11-1201, 11-1202, or 11-1425 of this
15 Code.

16 (B) Any other similar law or local ordinance of any
17 state relating to railroad-highway grade crossing.

18 (25.7) School Bus. "School bus" means a commercial motor
19 vehicle used to transport pre-primary, primary, or secondary
20 school students from home to school, from school to home, or to
21 and from school-sponsored events. "School bus" does not include
22 a bus used as a common carrier.

23 (26) Serious Traffic Violation. "Serious traffic
24 violation" means:

25 (A) a conviction when operating a commercial motor
26 vehicle, or when operating a non-CMV while holding a CLP or

1 CDL, of:

2 (i) a violation relating to excessive speeding,
3 involving a single speeding charge of 15 miles per hour
4 or more above the legal speed limit; or

5 (ii) a violation relating to reckless driving; or

6 (iii) a violation of any State law or local
7 ordinance relating to motor vehicle traffic control
8 (other than parking violations) arising in connection
9 with a fatal traffic accident; or

10 (iv) a violation of Section 6-501, relating to
11 having multiple driver's licenses; or

12 (v) a violation of paragraph (a) of Section 6-507,
13 relating to the requirement to have a valid CDL; or

14 (vi) a violation relating to improper or erratic
15 traffic lane changes; or

16 (vii) a violation relating to following another
17 vehicle too closely; or

18 (viii) a violation relating to texting while
19 driving; or

20 (ix) a violation relating to the use of a hand-held
21 mobile telephone while driving; or

22 (B) any other similar violation of a law or local
23 ordinance of any state relating to motor vehicle traffic
24 control, other than a parking violation, which the
25 Secretary of State determines by administrative rule to be
26 serious.

1 (27) State. "State" means a state of the United States, the
2 District of Columbia and any province or territory of Canada.

3 (28) (Blank).

4 (29) (Blank).

5 (30) (Blank).

6 (31) (Blank).

7 (32) Texting. "Texting" means manually entering
8 alphanumeric text into, or reading text from, an electronic
9 device.

10 (1) Texting includes, but is not limited to, short
11 message service, emailing, instant messaging, a command or
12 request to access a World Wide Web page, pressing more than
13 a single button to initiate or terminate a voice
14 communication using a mobile telephone, or engaging in any
15 other form of electronic text retrieval or entry for
16 present or future communication.

17 (2) Texting does not include:

18 (i) inputting, selecting, or reading information
19 on a global positioning system or navigation system; or

20 (ii) pressing a single button to initiate or
21 terminate a voice communication using a mobile
22 telephone; or

23 (iii) using a device capable of performing
24 multiple functions (for example, a fleet management
25 system, dispatching device, smart phone, citizens band
26 radio, or music player) for a purpose that is not

1 otherwise prohibited by Part 392 of the Federal Motor
2 Carrier Safety Regulations.

3 (32.3) Third party skills test examiner. "Third party
4 skills test examiner" means a person employed by a third party
5 tester who is authorized by the State to administer the CDL
6 skills tests specified in 49 C.F.R. Part 383, subparts G and H.

7 (32.5) Third party tester. "Third party tester" means a
8 person (including, but not limited to, another state, a motor
9 carrier, a private driver training facility or other private
10 institution, or a department, agency, or instrumentality of a
11 local government) authorized by the State to employ skills test
12 examiners to administer the CDL skills tests specified in 49
13 C.F.R. Part 383, subparts G and H.

14 (32.7) United States. "United States" means the 50 states
15 and the District of Columbia.

16 (33) Use a hand-held mobile telephone. "Use a hand-held
17 mobile telephone" means:

18 (1) using at least one hand to hold a mobile telephone
19 to conduct a voice communication;

20 (2) dialing or answering a mobile telephone by pressing
21 more than a single button; or

22 (3) reaching for a mobile telephone in a manner that
23 requires a driver to maneuver so that he or she is no
24 longer in a seated driving position, restrained by a seat
25 belt that is installed in accordance with 49 CFR 393.93 and
26 adjusted in accordance with the vehicle manufacturer's

1 instructions.

2 (Source: P.A. 97-208, eff. 1-1-12; 97-750, eff. 7-6-12; 97-829,
3 eff. 1-1-13; revised 8-3-12.)

4 (625 ILCS 5/6-502) (from Ch. 95 1/2, par. 6-502)

5 Sec. 6-502. Commercial motor vehicle drivers - reporting of
6 traffic violations to the Secretary of State. When required by
7 the Commercial Motor Vehicle Safety Act of 1986, every person
8 who has been issued an Illinois non-domiciled ~~non-resident~~ CLP
9 or non-domiciled CDL or who is a domiciliary of this State and
10 drives a commercial motor vehicle in violation of a law or
11 local ordinance of any State relating to motor vehicle traffic
12 control (other than parking violations) in any other state,
13 shall notify the Secretary of State, on a form and in a manner
14 prescribed by the Secretary, of such violation within 30 days
15 after the date such person has been convicted of such offense.

16 (Source: P.A. 86-845.)

17 (625 ILCS 5/6-503) (from Ch. 95 1/2, par. 6-503)

18 Sec. 6-503. Commercial motor vehicle drivers - reporting of
19 traffic violations to employer. Every person who is a
20 domiciliary of this State or who has been issued an Illinois
21 non-domiciled ~~non-resident~~ CLP or non-domiciled CDL and drives
22 a commercial motor vehicle in violation of a law or local
23 ordinance of any State relating to motor vehicle traffic
24 control (other than parking violations) in this or any other

1 state, shall notify such person's employer of such violation
2 within 30 days after the date such person is convicted of such
3 offense.

4 In the event such person is a "common carrier of property
5 by motor vehicle", as defined in Section 18c-1104 of this Code,
6 such person shall notify the principal lessor of such within 30
7 days after the date such person is convicted of the violation.
8 However, if such person is an independent contractor or owner
9 operator, such report shall be kept at the principal place of
10 business and available during normal office hours for
11 inspection and auditing purposes by an authorized agency.
12 (Source: P.A. 86-845.)

13 (625 ILCS 5/6-506) (from Ch. 95 1/2, par. 6-506)

14 Sec. 6-506. Commercial motor vehicle driver -
15 employer/owner responsibilities.

16 (a) No employer or commercial motor vehicle owner shall
17 knowingly allow, permit, authorize, or require an employee to
18 drive a commercial motor vehicle on the highways during any
19 period in which such employee:

20 (1) has a driver's license suspended, revoked or
21 cancelled by any state; or

22 (2) has lost the privilege to drive a commercial motor
23 vehicle in any state; or

24 (3) has been disqualified from driving a commercial
25 motor vehicle; or

1 (4) has more than one CLP or CDL ~~driver's license~~,
2 except as provided by this UCDLA; or

3 (5) is subject to or in violation of an
4 "out-of-service" order; or—

5 (6) does not have a current CLP or CDL or a CLP or CDL
6 with the proper class or endorsements. An employer may not
7 use a driver to operate a CMV who violates any restriction
8 on the driver's CLP or CDL.

9 (b) No employer or commercial motor vehicle owner shall
10 knowingly allow, permit, authorize, or require a driver to
11 operate a commercial motor vehicle in violation of any law or
12 regulation pertaining to railroad-highway grade crossings.

13 (b-3) No employer or commercial motor vehicle owner shall
14 knowingly allow, permit, authorize, or require a driver to
15 operate a commercial motor vehicle during any period in which
16 the commercial motor vehicle is subject to an "out-of-service"
17 order.

18 (b-5) No employer or commercial motor vehicle owner shall
19 knowingly allow, permit, authorize, or require a driver to
20 operate a commercial motor vehicle during any period in which
21 the motor carrier operation is subject to an "out-of-service"
22 order.

23 (c) Any employer convicted of violating subsection (a),
24 (b-3), or (b-5) of this Section, whether individually or in
25 connection with one or more other persons, or as principal
26 agent, or accessory, shall be guilty of a Class A misdemeanor.

1 (Source: P.A. 95-382, eff. 8-23-07.)

2 (625 ILCS 5/6-507) (from Ch. 95 1/2, par. 6-507)

3 Sec. 6-507. Commercial Driver's License (CDL) or
4 Commercial Learner's Permit (CLP) Required.

5 (a) Except as expressly permitted by this UCCLA, or when
6 driving pursuant to the issuance of a commercial learner's
7 ~~driver instruction~~ permit and accompanied by the holder of a
8 CDL valid for the vehicle being driven; no person shall drive a
9 commercial motor vehicle on the highways without:

10 (1) a CDL in the driver's possession;

11 (2) having obtained a CLP or CDL;

12 (3) the proper class of CLP or CDL or endorsements or
13 both for the specific vehicle group being operated or for
14 the passengers or type of cargo being transported; or

15 (4) a copy of a medical variance document, if one
16 exists, such as an exemption letter or a skill performance
17 evaluation certificate.

18 (a-5) A CLP or CDL holder whose CLP or CDL is held by this
19 State or any other state in the course of enforcement of a
20 motor vehicle traffic code and who has not been convicted of a
21 disqualifying offense under 49 C.F.R. 383.51 based on this
22 enforcement, may drive a CMV while holding a dated receipt for
23 the CLP or CDL.

24 (b) Except as otherwise provided by this Code, no person
25 may drive a commercial motor vehicle on the highways while such

1 person's driving privilege, license, or permit is:

2 (1) Suspended, revoked, cancelled, or subject to
3 disqualification. Any person convicted of violating this
4 provision or a similar provision of this or any other state
5 shall have their driving privileges revoked under
6 paragraph 12 of subsection (a) of Section 6-205 of this
7 Code.

8 (2) Subject to or in violation of an "out-of-service"
9 order. Any person who has been issued a CLP or CDL and is
10 convicted of violating this provision or a similar
11 provision of any other state shall be disqualified from
12 operating a commercial motor vehicle under subsection (i)
13 of Section 6-514 of this Code.

14 (3) Subject to or in violation of a driver or vehicle
15 "out of service" order while operating a vehicle designed
16 to transport 16 or more passengers, including the driver,
17 or transporting hazardous materials required to be
18 placarded. Any person who has been issued a CLP or CDL and
19 is convicted of violating this provision or a similar
20 provision of this or any other state shall be disqualified
21 from operating a commercial motor vehicle under subsection
22 (i) of Section 6-514 of this Code.

23 (b-3) Except as otherwise provided by this Code, no person
24 may drive a commercial motor vehicle on the highways during a
25 period which the commercial motor vehicle or the motor carrier
26 operation is subject to an "out-of-service" order. Any person

1 who is convicted of violating this provision or a similar
2 provision of any other state shall be disqualified from
3 operating a commercial motor vehicle under subsection (i) of
4 Section 6-514 of this Code.

5 (b-5) Except as otherwise provided by this Code, no person
6 may operate a vehicle designed to transport 16 or more
7 passengers including the driver or hazardous materials of a
8 type or quantity that requires the vehicle to be placarded
9 during a period in which the commercial motor vehicle or the
10 motor carrier operation is subject to an "out-of-service"
11 order. Any person who is convicted of violating this provision
12 or a similar provision of any other state shall be disqualified
13 from operating a commercial motor vehicle under subsection (i)
14 of Section 6-514 of this Code.

15 (c) Pursuant to the options provided to the States by FHWA
16 Docket No. MC-88-8, the driver of any motor vehicle controlled
17 or operated by or for a farmer is waived from the requirements
18 of this Section, when such motor vehicle is being used to
19 transport: agricultural products; implements of husbandry; or
20 farm supplies; to and from a farm, as long as such movement is
21 not over 150 air miles from the originating farm. This waiver
22 does not apply to the driver of any motor vehicle being used in
23 a common or contract carrier type operation. However, for those
24 drivers of any truck-tractor semitrailer combination or
25 combinations registered under subsection (c) of Section 3-815
26 of this Code, this waiver shall apply only when the driver is a

1 farmer or a member of the farmer's family and the driver is 21
2 years of age or more and has successfully completed any tests
3 the Secretary of State deems necessary.

4 In addition, the farmer or a member of the farmer's family
5 who operates a truck-tractor semitrailer combination or
6 combinations pursuant to this waiver shall be granted all of
7 the rights and shall be subject to all of the duties and
8 restrictions with respect to Sections 6-514 and 6-515 of this
9 Code applicable to the driver who possesses a commercial
10 driver's license issued under this Code, except that the driver
11 shall not be subject to any additional duties or restrictions
12 contained in Part 382 of the Federal Motor Carrier Safety
13 Regulations that are not otherwise imposed under Section 6-514
14 or 6-515 of this Code.

15 For purposes of this subsection (c), a member of the
16 farmer's family is a natural or in-law spouse, child, parent,
17 or sibling.

18 (c-5) An employee of a township or road district with a
19 population of less than 3,000 operating a vehicle within the
20 boundaries of the township or road district for the purpose of
21 removing snow or ice from a roadway by plowing, sanding, or
22 salting is waived from the requirements of this Section when
23 the employee is needed to operate the vehicle because the
24 employee of the township or road district who ordinarily
25 operates the vehicle and who has a commercial driver's license
26 is unable to operate the vehicle or is in need of additional

1 assistance due to a snow emergency.

2 (c-10) A driver of a commercial motor vehicle used
3 primarily in the transportation of propane winter heating fuel
4 or a driver of a motor vehicle used to respond to a pipeline
5 emergency is waived from the requirements of this Section if
6 such requirements would prevent the driver from responding to
7 an emergency condition requiring immediate response as defined
8 in 49 C.F.R. Part 390.5.

9 (d) Any person convicted of violating this Section, shall
10 be guilty of a Class A misdemeanor.

11 (e) Any person convicted of violating paragraph (1) of
12 subsection (b) of this Section, shall have all driving
13 privileges revoked by the Secretary of State.

14 (f) This Section shall not apply to:

15 (1) A person who currently holds a valid Illinois
16 driver's license, for the type of vehicle being operated,
17 until the expiration of such license or April 1, 1992,
18 whichever is earlier; or

19 (2) A non-Illinois domiciliary who is properly
20 licensed in another State, until April 1, 1992. A
21 non-Illinois domiciliary, if such domiciliary is properly
22 licensed in another State or foreign jurisdiction, until
23 April 1, 1992.

24 (Source: P.A. 96-544, eff. 1-1-10; 97-208, eff. 1-1-12; 97-229,
25 eff. 7-28-11; 97-813, eff. 7-13-12.)

1 (625 ILCS 5/6-507.5 new)

2 Sec. 6-507.5. Application for Commercial Learner's Permit
3 (CLP).

4 (a) The application for a CLP must include, but is not
5 limited to, the following:

6 (1) the driver applicant's full legal name and current
7 Illinois domiciliary address, unless the driver applicant
8 is from a foreign country and is applying for a
9 non-domiciled CLP in which case the driver applicant shall
10 submit proof of Illinois residency or the driver applicant
11 is from another state and is applying for a non-domiciled
12 CLP in which case the driver applicant shall submit proof
13 of domicile in the state which issued the driver
14 applicant's Non-CDL;

15 (2) a physical description of the driver applicant
16 including gender, height, weight, color of eyes, and hair
17 color;

18 (3) date of birth;

19 (4) the driver applicant's social security number;

20 (5) the driver applicant's signature;

21 (6) the names of all states where the driver applicant
22 has previously been licensed to drive any type of motor
23 vehicle during the previous 10 years under 49 C.F.R. Part
24 383;

25 (7) proof of citizenship or lawful permanent residency
26 as set forth in Table 1 of 49 C.F.R. 383.71, unless the

1 driver applicant is from a foreign country and is applying
2 for a non-domiciled CLP, in which case the applicant must
3 provide an unexpired employment authorization document
4 (EAD) issued by USCIS or an unexpired foreign passport
5 accompanied by an approved I-94 form documenting the
6 applicant's most recent admittance into the United States;
7 and

8 (8) any other information required by the Secretary of
9 State.

10 (b) No CLP shall be issued to a driver applicant unless the
11 applicant has taken and passed a general knowledge test that
12 meets the federal standards contained in 49 C.F.R. 383,
13 subparts F, G, and H for the commercial motor vehicle the
14 applicant expects to operate.

15 (c) No CLP shall be issued to a driver applicant unless the
16 applicant possesses a valid Illinois drivers license or if the
17 applicant is applying for a non-domiciled CLP under subsection
18 (b) of Section 6-509 of this Code, in which case the driver
19 applicant must possess a valid driver's license from his state
20 of domicile.

21 (d) No CLP shall be issued to a person under 18 years of
22 age.

23 (e) No person shall be issued a CLP unless the person
24 certifies to the Secretary one of the following types of
25 driving operations in which he or she will be engaged:

26 (1) non-excepted interstate;

1 (2) non-excepted intrastate;

2 (3) excepted interstate; or

3 (4) excepted intrastate.

4 (f) No person shall be issued a CLP unless the person
5 certifies to the Secretary that he or she is not subject to any
6 disqualification under 49 CFR Part 383.51, or any license
7 disqualification under State law, and that he or she does not
8 have a driver's license from more than one state or
9 jurisdiction.

10 (g) No CLP shall be issued to a person while the person is
11 subject to a disqualification from driving a commercial motor
12 vehicle, unless otherwise permitted by this Code, while the
13 person's driver's license is suspended, revoked, or cancelled
14 in any state, or any territory or province of Canada; nor may a
15 CLP be issued to a person who has a CLP or CDL issued by any
16 other state or foreign jurisdiction, unless the person
17 surrenders all of these licenses. No CLP shall be issued to or
18 renewed for a person who does not meet the requirement of 49
19 CFR 391.41(b) (11). The requirement may be met with the aid of a
20 hearing aid.

21 (h) No CLP with a Passenger, School Bus or Tank Vehicle
22 endorsement shall be issued to a person unless the driver
23 applicant has taken and passed the knowledge test for each
24 endorsement.

25 (1) A CLP holder with a Passenger (P) endorsement is
26 prohibited from operating a CMV carrying passengers, other

1 than federal or State auditors and inspectors, test
2 examiners, or other trainees, and the CDL holder
3 accompanying the CLP holder as prescribed by subsection (a)
4 of Section 6-507 of this Code. The P endorsement must be
5 class specific.

6 (2) A CLP holder with a School Bus (S) endorsement is
7 prohibited from operating a school bus with passengers
8 other than federal or State auditors and inspectors, test
9 examiners, or other trainees, and the CDL holder
10 accompanying the CLP holder as prescribed by subsection (a)
11 of Section 6-507 of this Code.

12 (3) A CLP holder with a Tank Vehicle (N) endorsement
13 may only operate an empty tank vehicle and is prohibited
14 from operating any tank vehicle that previously contained
15 hazardous material that has not been purged of all residue.

16 (4) All other federal endorsements are prohibited on a
17 CLP.

18 (i) No CLP holder may operate a commercial motor vehicle
19 transporting hazardous material as defined in paragraph (20) of
20 Section 6-500 of this Code.

21 (j) The CLP holder must be accompanied by the holder of a
22 valid CDL who has the proper CDL group and endorsement
23 necessary to operate the CMV. The CDL holder must at all times
24 be physically present in the front seat of the vehicle next to
25 the CLP holder or, in the case of a passenger vehicle, directly
26 behind or in the first row behind the driver and must have the

1 CLP holder under observation and direct supervision.

2 (k) A CLP is valid for 180 days from the date of issuance.
3 A CLP may be renewed for an additional 180 days without
4 requiring the CLP holder to retake the general and endorsement
5 knowledge tests.

6 (l) A CLP issued prior to July 1, 2014 for a limited time
7 period according to state requirements, shall be considered a
8 valid commercial drivers' license for purposes of
9 behind-the-wheel training on public roads or highways.

10 (625 ILCS 5/6-508) (from Ch. 95 1/2, par. 6-508)

11 Sec. 6-508. Commercial Driver's License (CDL) -
12 qualification standards.

13 (a) Testing.

14 (1) General. No person shall be issued an original or
15 renewal CDL unless that person is domiciled in this State
16 or is applying for a non-domiciled CDL under Sections 6-509
17 and 6-510 of this Code. The Secretary shall cause to be
18 administered such tests as the Secretary deems necessary to
19 meet the requirements of 49 C.F.R. Part 383, subparts F, G,
20 H, and J.

21 (1.5) Effective July 1, 2014 no person shall be issued
22 an original CDL or an upgraded CDL that requires a skills
23 test unless that person has held a CLP, for a minimum of 14
24 calendar days, for the classification of vehicle and
25 endorsement, if any, for which the person is seeking a CDL.

1 (2) Third party testing. The Secretary of state may
2 authorize a "third party tester", pursuant to 49 C.F.R.
3 Part 383.75 and 49 C.F.R. Part 384.228 and 384.229, to
4 administer the skills test or tests specified by Federal
5 Motor Carrier Safety Administration pursuant to the
6 Commercial Motor Vehicle Safety Act of 1986 and any
7 appropriate federal rule.

8 (b) Waiver of Skills Test. The Secretary of State may waive
9 the skills test specified in this Section for a driver
10 applicant for a commercial driver license who meets the
11 requirements of 49 C.F.R. Part 383.77 ~~and Part 383.123~~.

12 (b-1) No person shall be issued a ~~commercial driver~~
13 ~~instruction permit or~~ CDL unless the person certifies to the
14 Secretary one of the following types of driving operations in
15 which he or she will be engaged:

- 16 (1) non-excepted interstate;
17 (2) non-excepted intrastate;
18 (3) excepted interstate; or
19 (4) excepted intrastate.

20 (b-2) (Blank). ~~Persons who hold a commercial driver~~
21 ~~instruction permit or CDL on January 30, 2012 must certify to~~
22 ~~the Secretary no later than January 30, 2014 one of the~~
23 ~~following applicable self-certifications:~~

- 24 ~~(1) non-excepted interstate;~~
25 ~~(2) non-excepted intrastate;~~
26 ~~(3) excepted interstate; or~~

1 ~~(4) excepted intrastate.~~

2 (c) Limitations on issuance of a CDL. A CDL, ~~or a~~
3 ~~commercial driver instruction permit,~~ shall not be issued to a
4 person while the person is subject to a disqualification from
5 driving a commercial motor vehicle, or unless otherwise
6 permitted by this Code, while the person's driver's license is
7 suspended, revoked or cancelled in any state, or any territory
8 or province of Canada; nor may a CLP or CDL be issued to a
9 person who has a CLP or CDL issued by any other state, or
10 foreign jurisdiction, nor may a CDL be issued to a person who
11 has an Illinois CLP unless the person first surrenders all of
12 these such licenses or permits. However, a person may hold an
13 Illinois CLP and an Illinois CDL providing the CLP is necessary
14 to train or practice for an endorsement or vehicle
15 classification not present on the current CDL. No CDL shall be
16 issued to or renewed for a person who does not meet the
17 requirement of 49 CFR 391.41(b)(11). The requirement may be met
18 with the aid of a hearing aid.

19 (c-1) The Secretary may issue a CDL with a school bus
20 driver endorsement to allow a person to drive the type of bus
21 described in subsection (d-5) of Section 6-104 of this Code.
22 The CDL with a school bus driver endorsement may be issued only
23 to a person meeting the following requirements:

24 (1) the person has submitted his or her fingerprints to
25 the Department of State Police in the form and manner
26 prescribed by the Department of State Police. These

1 fingerprints shall be checked against the fingerprint
2 records now and hereafter filed in the Department of State
3 Police and Federal Bureau of Investigation criminal
4 history records databases;

5 (2) the person has passed a written test, administered
6 by the Secretary of State, on charter bus operation,
7 charter bus safety, and certain special traffic laws
8 relating to school buses determined by the Secretary of
9 State to be relevant to charter buses, and submitted to a
10 review of the driver applicant's driving habits by the
11 Secretary of State at the time the written test is given;

12 (3) the person has demonstrated physical fitness to
13 operate school buses by submitting the results of a medical
14 examination, including tests for drug use; and

15 (4) the person has not been convicted of committing or
16 attempting to commit any one or more of the following
17 offenses: (i) those offenses defined in Sections 8-1.2,
18 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 10-1, 10-2,
19 10-3.1, 10-4, 10-5, 10-5.1, 10-6, 10-7, 10-9, 11-1.20,
20 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 11-6.6,
21 11-9, 11-9.1, 11-9.3, 11-9.4, 11-14, 11-14.1, 11-14.3,
22 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-17.1, 11-18,
23 11-18.1, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,
24 11-20.1B, 11-20.3, 11-21, 11-22, 11-23, 11-24, 11-25,
25 11-26, 11-30, 12-2.6, 12-3.1, 12-4, 12-4.1, 12-4.2,
26 12-4.2-5, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-4.9,

1 12-5.01, 12-6, 12-6.2, 12-7.1, 12-7.3, 12-7.4, 12-7.5,
2 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-16.2,
3 12-21.5, 12-21.6, 12-33, 12C-5, 12C-10, 12C-20, 12C-30,
4 12C-45, 16-16, 16-16.1, 18-1, 18-2, 18-3, 18-4, 18-5, 19-6,
5 20-1, 20-1.1, 20-1.2, 20-1.3, 20-2, 24-1, 24-1.1, 24-1.2,
6 24-1.2-5, 24-1.6, 24-1.7, 24-2.1, 24-3.3, 24-3.5, 31A-1,
7 31A-1.1, 33A-2, and 33D-1, and in subsection (b) of Section
8 8-1, and in subdivisions (a)(1), (a)(2), (b)(1), (e)(1),
9 (e)(2), (e)(3), (e)(4), and (f)(1) of Section 12-3.05, and
10 in subsection (a) and subsection (b), clause (1), of
11 Section 12-4, and in subsection (A), clauses (a) and (b),
12 of Section 24-3, and those offenses contained in Article
13 29D of the Criminal Code of 1961; (ii) those offenses
14 defined in the Cannabis Control Act except those offenses
15 defined in subsections (a) and (b) of Section 4, and
16 subsection (a) of Section 5 of the Cannabis Control Act;
17 (iii) those offenses defined in the Illinois Controlled
18 Substances Act; (iv) those offenses defined in the
19 Methamphetamine Control and Community Protection Act; (v)
20 any offense committed or attempted in any other state or
21 against the laws of the United States, which if committed
22 or attempted in this State would be punishable as one or
23 more of the foregoing offenses; (vi) the offenses defined
24 in Sections 4.1 and 5.1 of the Wrongs to Children Act or
25 Section 11-9.1A of the Criminal Code of 1961; (vii) those
26 offenses defined in Section 6-16 of the Liquor Control Act

1 of 1934; and (viii) those offenses defined in the
2 Methamphetamine Precursor Control Act.

3 The Department of State Police shall charge a fee for
4 conducting the criminal history records check, which shall be
5 deposited into the State Police Services Fund and may not
6 exceed the actual cost of the records check.

7 (c-2) The Secretary shall issue a CDL with a school bus
8 endorsement to allow a person to drive a school bus as defined
9 in this Section. The CDL shall be issued according to the
10 requirements outlined in 49 C.F.R. 383. A person may not
11 operate a school bus as defined in this Section without a
12 school bus endorsement. The Secretary of State may adopt rules
13 consistent with Federal guidelines to implement this
14 subsection (c-2).

15 (d) (Blank). ~~Commercial driver instruction permit. A~~
16 ~~commercial driver instruction permit may be issued to any~~
17 ~~person holding a valid Illinois driver's license if such person~~
18 ~~successfully passes such tests as the Secretary determines to~~
19 ~~be necessary. A commercial driver instruction permit shall not~~
20 ~~be issued to a person who does not meet the requirements of 49~~
21 ~~CFR 391.41 (b) (11), except for the renewal of a commercial~~
22 ~~driver instruction permit for a person who possesses a~~
23 ~~commercial instruction permit prior to the effective date of~~
24 ~~this amendatory Act of 1999.~~

25 (Source: P.A. 96-1182, eff. 7-22-10; 96-1551, Article 1,
26 Section 95, eff. 7-1-11; 96-1551, Article 2, Section 1025, eff.

1 7-1-11; 97-208, eff. 1-1-12; 97-1108, eff. 1-1-13; 97-1109,
2 eff. 1-1-13; revised 9-20-12.)

3 (625 ILCS 5/6-508.1)

4 Sec. 6-508.1. Medical Examiner's Certificate.

5 (a) It shall be unlawful for any person to drive a CMV in
6 non-excepted interstate commerce unless the person holds a CLP
7 or CDL and is medically certified as physically qualified to do
8 so.

9 (b) No person who has certified to non-excepted interstate
10 driving as provided in Sections 6-507.5 and ~~Section~~ 6-508 of
11 this Code shall be issued a commercial learner's driver
12 ~~instruction~~ permit or CDL unless that person presents to the
13 Secretary a medical examiner's certificate or has a current
14 medical examiner's certificate on the CDLIS driver record.

15 (c) Persons who hold a commercial driver instruction permit
16 or CDL on January 30, 2012 who have certified as non-excepted
17 interstate as provided in Section 6-508 of this Code must
18 provide to the Secretary a medical examiner's certificate no
19 later than January 30, 2014.

20 (d) On and after ~~As of~~ January 30, 2014, all persons who
21 hold a commercial driver instruction permit or CDL who have
22 certified as non-excepted interstate shall maintain a current
23 medical examiner's certificate on file with the Secretary. On
24 and after July 1, 2014, all persons issued a CLP who have
25 certified as non-excepted interstate shall maintain a current

1 medical examiner's certificate on file with the Secretary.

2 (e) Within 10 calendar days of receipt of a medical
3 examiner's certificate of a driver who has certified as
4 non-excepted interstate, the Secretary shall post the
5 following to the CDLIS driver record:

6 (1) the medical examiner's name;

7 (2) the medical examiner's telephone number;

8 (3) the date of issuance of the medical examiner's
9 certificate;

10 (4) the medical examiner's license number and the state
11 that issued it;

12 (5) the medical certification status;

13 (6) the expiration date of the medical examiner's
14 certificate;

15 (7) the existence of any medical variance on the
16 medical examiner's certificate or grandfather provisions;

17 (8) any restrictions noted on the medical examiner's
18 certificate; and

19 (9) the date the medical examiner's certificate
20 information was posted to the CDLIS driver record.

21 (f) Within 10 calendar days of the expiration or rescission
22 of the driver's medical examiner's certificate or medical
23 variance or both, the Secretary shall update the medical
24 certification status to "not certified".

25 (g) Within 10 calendar days of receipt of information from
26 the Federal Motor Carrier Safety Administration regarding

1 issuance or renewal of a medical variance, the Secretary shall
2 update the CDLIS driver record to include the medical variance
3 information provided by the Federal Motor Carrier Safety
4 Administration.

5 (h) The Secretary shall notify the driver of his or her
6 non-certified status and that his or her CDL will be canceled
7 unless the driver submits a current medical examiner's
8 certificate or medical variance or changes his or her
9 self-certification to driving only in excepted or intrastate
10 commerce.

11 (i) Within 60 calendar days of a driver's medical
12 certification status becoming non-certified, the Secretary
13 shall cancel the CDL.

14 (Source: P.A. 97-208, eff. 1-1-12.)

15 (625 ILCS 5/6-509) (from Ch. 95 1/2, par. 6-509)

16 Sec. 6-509. Non-domiciled commercial learner's permit and
17 Non-domiciled ~~Non-resident~~ commercial driver's license.

18 (a) The Secretary of State may issue a non-domiciled CLP or
19 non-domiciled ~~non-resident~~ CDL to a domiciliary of a foreign
20 jurisdiction if the United States Secretary of Transportation
21 has determined that the commercial motor vehicle testing and
22 licensing standards, in that foreign jurisdiction, do not meet
23 the testing standards established in 49 C.F.R. Part 383. ~~The~~
24 ~~Secretary of State may also issue a non-resident CDL to an~~
25 ~~individual domiciled in another state while that state is~~

1 ~~prohibited from issuing CDLs in accordance with 49 C.F.R. Part~~
2 ~~384.~~ A non-domiciled CLP or non-domiciled ~~non-resident~~ CDL
3 shall be issued in accordance with the testing and licensing
4 standards contained in subparts F, G, and H of 49 C.F.R. Part
5 383. The word "Non-domiciled" ~~"Non-resident"~~ must appear on the
6 face of the non-domiciled CLP or non-domiciled ~~non-resident~~
7 CDL. A driver applicant must surrender any non-domiciled CLP or
8 non-domiciled ~~non-resident~~ CDL, license or permit issued by any
9 other state.

10 (b) If an individual is domiciled in a state while that
11 state is prohibited from issuing CDLs in accordance with 49
12 C.F.R. Part 384.405, that individual is eligible to obtain a
13 non-domiciled CLP or non-domiciled ~~non-resident~~ CDL from any
14 state that elects to issue a non-domiciled CLP or non-domiciled
15 ~~non-resident~~ CDL and which complies with the testing and
16 licensing standards contained in subparts F, G, and H of 49
17 C.F.R. Part 383.23. "Non-domiciled" must appear on the face of
18 the non-domiciled CLP or non-domiciled CDL. A driver applicant
19 must surrender any non-domiciled CLP or non-domiciled CDL
20 issued in any other state.

21 (Source: P.A. 94-307, eff. 9-30-05; 95-382, eff. 8-23-07.)

22 (625 ILCS 5/6-510) (from Ch. 95 1/2, par. 6-510)

23 Sec. 6-510. Application for Commercial Driver's License
24 (CDL). The application for a CDL ~~or commercial driver~~
25 ~~instruction permit~~, must include, but is not ~~necessarily be~~

1 limited to, the following:

2 (1) the driver applicant's full legal name and current
3 Illinois domiciliary address, ~~unless the driver applicant~~
4 is from a foreign country and is applying ~~application is~~
5 for a non-domiciled Non-resident CDL ~~in which case the~~
6 driver applicant shall submit proof of Illinois residency
7 or the driver applicant is from another state and is
8 applying for a non-domiciled CDL in which case the driver
9 applicant shall submit proof of domicile in the state which
10 issued the driver applicant's Non-CDL ~~of the driver~~
11 ~~applicant;~~

12 (2) a physical description of the driver applicant
13 including gender ~~sex~~, height, weight, color of eyes, and
14 hair color;

15 (3) date of birth;

16 (4) the driver applicant's social security number;

17 (5) the driver applicant's signature;

18 (6) certifications required by 49 C.F.R. Part 383.71;

19 (6.1) the names of all states where the driver
20 applicant has previously been licensed to drive any type of
21 motor vehicle during the previous 10 years pursuant to 49
22 C.F.R. Part 383; ~~and~~

23 (6.2) proof of citizenship or lawful permanent
24 residency as set forth in Table 1 of 49 C.F.R. 383.71,
25 unless the driver applicant is from a foreign country and
26 is applying for a non-domiciled CDL, in which case the

1 applicant must provide an unexpired employment
2 authorization document (EAD) issued by USCIS or an
3 unexpired foreign passport accompanied by an approved I-94
4 form documenting the applicant's most recent admittance
5 into the United States; and

6 (7) any other information required by the Secretary of
7 State.

8 (Source: P.A. 97-263, eff. 8-5-11.)

9 (625 ILCS 5/6-511) (from Ch. 95 1/2, par. 6-511)

10 Sec. 6-511. Change of legal name or domiciliary address.

11 (a) All persons to whom a CLP or CDL has been issued, shall
12 notify the Driver Services Department of the Secretary of
13 State's Office within 10 days of any change in domiciliary
14 address. In addition, ~~the such~~ person shall make application
15 for a corrected CLP or CDL within 30 days after the ~~of any such~~
16 change.

17 (b) Any person to whom a CLP or CDL has been issued whose
18 legal name has changed from the name on the previously-issued
19 CLP or CDL shall apply for a corrected card within 30 days
20 after the change.

21 (Source: P.A. 93-895, eff. 1-1-05.)

22 (625 ILCS 5/6-512) (from Ch. 95 1/2, par. 6-512)

23 Sec. 6-512. Unlawful operation of a commercial motor
24 vehicle pursuant to a non-Illinois issued CLP or CDL. No

1 person, after becoming a domiciliary of this State for 30 days
2 or more, shall drive a commercial motor vehicle on the highways
3 of this State pursuant to the authority of a CLP or CDL issued
4 by any other State or foreign jurisdiction.

5 (Source: P.A. 86-845.)

6 (625 ILCS 5/6-512.5 new)

7 Sec. 6-512.5. Commercial Learner's Permit or CLP

8 (a) The content of the CLP shall include, but is not
9 limited to, the following:

10 (1) A CLP shall be distinctly marked "Commercial
11 Learner's Permit" or "CLP" and that it is invalid unless
12 accompanied by the underlying driver's license issued by
13 the State of Illinois;

14 (2) the full legal name and the Illinois domiciliary
15 address (unless it is a non-domiciled CLP) of the
16 person to whom the CLP is issued;

17 (3) a physical description of the person including
18 gender, height, weight, color of eyes, and hair color;

19 (4) date of birth;

20 (5) the Illinois driver's license number assigned by
21 the Secretary of State;

22 (6) the person's signature;

23 (7) an indicator showing that the CLP was issued by the
24 State of Illinois;

25 (8) the date of issuance and the date of expiration of

1 the CLP;

2 (9) the class or type of commercial vehicle or vehicles
3 which the person is authorized to drive together with any
4 endorsement or restriction;

5 (b) If the CLP is a non-domiciled CLP it must contain the
6 prominent statement that the permit is a "Non-domiciled
7 Commercial Learner's Permit" or "Non-domiciled CLP";

8 (c) Applicant Record Check. Prior to issuing, renewing,
9 upgrading, or transferring a CLP, the Secretary of State shall
10 obtain, review, and maintain upon issuance, renewal, upgrade,
11 or transfer the driver applicant's driving record as required
12 by 49 C.F.R. Part 383 and 384 and the United States Secretary
13 of Transportation.

14 (d) Notification of Commercial Learner's Permit (CLP)
15 Issuance and Self-Certification. Within 10 days after issuing a
16 CLP, the Secretary of State must notify the Commercial Driver
17 License Information System of that fact, and provide all
18 information required to ensure identification of the person.
19 The Secretary shall also post the driver's self-certification
20 for the type of driving operations to the CDLIS driver record.

21 (625 ILCS 5/6-513) (from Ch. 95 1/2, par. 6-513)

22 Sec. 6-513. Commercial Driver's License or CDL. The content
23 of the CDL shall include, but is not ~~necessarily be~~ limited to
24 the following:

25 (a) A CDL shall be distinctly marked "Commercial Driver's

1 License" or "CDL". It must include, but is not ~~necessarily be~~
2 limited to, the following information:

3 (1) the full legal name and the Illinois domiciliary
4 address (unless it is a non-domiciled ~~Non-resident~~ CDL) of
5 the person to whom the CDL is issued;

6 (2) ~~a the person's~~ color photograph of the person;

7 (3) a physical description of the person including
8 gender ~~sex~~, height, ~~and may include~~ weight, color of eyes,
9 and hair color;

10 (4) date of birth;

11 (5) a CDL or file number assigned by the Secretary of
12 State;

13 (6) the person's signature;

14 (7) the class or type of commercial vehicle or vehicles
15 which the person is authorized to drive together with any
16 endorsements or restrictions;

17 (8) the name of the issuing state;

18 (9) the issuance and expiration dates of the CDL; and

19 (10) the restriction code "V" if the driver has been
20 issued a medical variance.

21 (a-5) If the CDL is a non-domiciled CDL it must contain the
22 prominent statement that the license is a "Non-domiciled
23 Commercial Driver's License" or "Non-domiciled CDL";

24 (b) Applicant Record Check.

25 Prior to issuing, renewing, upgrading, or transferring a
26 CDL, the Secretary of State shall obtain, review, and maintain

1 upon issuance, renewal, upgrade, or transfer the driver
2 applicant's driving record as required by 49 C.F.R. Part 383
3 and Part 384 and the United States Secretary of Transportation.

4 (c) Notification of Commercial Driver's License (CDL)
5 Issuance and Self-Certification.

6 Within 10 days after issuing a CDL, the Secretary of State
7 must notify the Commercial Driver License Information System of
8 that fact, and provide all information required to ensure
9 identification of the person. The Secretary shall also post the
10 driver's self-certification for the type of driving operations
11 to the CDLIS driver record.

12 (c-5) Change in driver identification information.

13 Within 10 days of any change of driver identification
14 information on any CDL holder, the Secretary of State must
15 notify the Commercial Driver License Information System of the
16 change.

17 (d) Renewal.

18 Every person applying for a renewal of a CDL must complete
19 the appropriate application form required by this Code and any
20 other test deemed necessary by the Secretary.

21 (Source: P.A. 97-208, eff. 1-1-12.)

22 (625 ILCS 5/6-514) (from Ch. 95 1/2, par. 6-514)

23 Sec. 6-514. Commercial Driver's License (CDL) -
24 Disqualifications.

25 (a) A person shall be disqualified from driving a

1 commercial motor vehicle for a period of not less than 12
2 months for the first violation of:

3 (1) Refusing to submit to or failure to complete a test
4 or tests to determine the driver's blood concentration of
5 alcohol, other drug, or both, while driving a commercial
6 motor vehicle or, if the driver is a CLP or CDL holder,
7 while driving a non-CMV; or

8 (2) Operating a commercial motor vehicle while the
9 alcohol concentration of the person's blood, breath or
10 urine is at least 0.04, or any amount of a drug, substance,
11 or compound in the person's blood or urine resulting from
12 the unlawful use or consumption of cannabis listed in the
13 Cannabis Control Act, a controlled substance listed in the
14 Illinois Controlled Substances Act, or methamphetamine as
15 listed in the Methamphetamine Control and Community
16 Protection Act as indicated by a police officer's sworn
17 report or other verified evidence; or operating a
18 non-commercial motor vehicle while the alcohol
19 concentration of the person's blood, breath, or urine was
20 above the legal limit defined in Section 11-501.1 or
21 11-501.8 or any amount of a drug, substance, or compound in
22 the person's blood or urine resulting from the unlawful use
23 or consumption of cannabis listed in the Cannabis Control
24 Act, a controlled substance listed in the Illinois
25 Controlled Substances Act, or methamphetamine as listed in
26 the Methamphetamine Control and Community Protection Act

1 as indicated by a police officer's sworn report or other
2 verified evidence while holding a CLP or CDL ~~commercial~~
3 ~~driver's license~~; or

4 (3) Conviction for a first violation of:

5 (i) Driving a commercial motor vehicle or, if the
6 driver is a CLP or CDL holder, driving a non-CMV while
7 under the influence of alcohol, or any other drug, or
8 combination of drugs to a degree which renders such
9 person incapable of safely driving; or

10 (ii) Knowingly leaving the scene of an accident
11 while operating a commercial motor vehicle or, if the
12 driver is a CLP or CDL holder, while driving a non-CMV;
13 or

14 (iii) Driving a commercial motor vehicle or, if the
15 driver is a CLP or CDL holder, driving a non-CMV while
16 committing any felony; or

17 (iv) Driving a commercial motor vehicle while the
18 person's driving privileges or driver's license or
19 permit is revoked, suspended, or cancelled or the
20 driver is disqualified from operating a commercial
21 motor vehicle; or

22 (v) Causing a fatality through the negligent
23 operation of a commercial motor vehicle, including but
24 not limited to the crimes of motor vehicle
25 manslaughter, homicide by a motor vehicle, and
26 negligent homicide.

1 As used in this subdivision (a)(3)(v), "motor
2 vehicle manslaughter" means the offense of involuntary
3 manslaughter if committed by means of a vehicle;
4 "homicide by a motor vehicle" means the offense of
5 first degree murder or second degree murder, if either
6 offense is committed by means of a vehicle; and
7 "negligent homicide" means reckless homicide under
8 Section 9-3 of the Criminal Code of 1961 and aggravated
9 driving under the influence of alcohol, other drug or
10 drugs, intoxicating compound or compounds, or any
11 combination thereof under subdivision (d)(1)(F) of
12 Section 11-501 of this Code.

13 If any of the above violations or refusals occurred
14 while transporting hazardous material(s) required to be
15 placarded, the person shall be disqualified for a period of
16 not less than 3 years.

17 (b) A person is disqualified for life for a second
18 conviction of any of the offenses specified in paragraph (a),
19 or any combination of those offenses, arising from 2 or more
20 separate incidents.

21 (c) A person is disqualified from driving a commercial
22 motor vehicle for life if the person either (i) uses a
23 commercial motor vehicle in the commission of any felony
24 involving the manufacture, distribution, or dispensing of a
25 controlled substance, or possession with intent to
26 manufacture, distribute or dispense a controlled substance or

1 (ii) if the person is a CLP or CDL holder, uses a non-CMV in the
2 commission of a felony involving any of those activities.

3 (d) The Secretary of State may, when the United States
4 Secretary of Transportation so authorizes, issue regulations
5 in which a disqualification for life under paragraph (b) may be
6 reduced to a period of not less than 10 years. If a reinstated
7 driver is subsequently convicted of another disqualifying
8 offense, as specified in subsection (a) of this Section, he or
9 she shall be permanently disqualified for life and shall be
10 ineligible to again apply for a reduction of the lifetime
11 disqualification.

12 (e) A person is disqualified from driving a commercial
13 motor vehicle for a period of not less than 2 months if
14 convicted of 2 serious traffic violations, committed in a
15 commercial motor vehicle, non-CMV while holding a CLP or CDL,
16 or any combination thereof, arising from separate incidents,
17 occurring within a 3 year period, provided the serious traffic
18 violation committed in a non-CMV would result in the suspension
19 or revocation of the CLP or CDL holder's non-CMV privileges.
20 However, a person will be disqualified from driving a
21 commercial motor vehicle for a period of not less than 4 months
22 if convicted of 3 serious traffic violations, committed in a
23 commercial motor vehicle, non-CMV while holding a CLP or CDL,
24 or any combination thereof, arising from separate incidents,
25 occurring within a 3 year period, provided the serious traffic
26 violation committed in a non-CMV would result in the suspension

1 or revocation of the CLP or CDL holder's non-CMV privileges. If
2 all the convictions occurred in a non-CMV, the disqualification
3 shall be entered only if the convictions would result in the
4 suspension or revocation of the CLP or CDL holder's non-CMV
5 privileges.

6 (e-1) (Blank).

7 (f) Notwithstanding any other provision of this Code, any
8 driver disqualified from operating a commercial motor vehicle,
9 pursuant to this UCDLA, shall not be eligible for restoration
10 of commercial driving privileges during any such period of
11 disqualification.

12 (g) After suspending, revoking, or cancelling a CLP or CDL
13 ~~commercial driver's license~~, the Secretary of State must update
14 the driver's records to reflect such action within 10 days.
15 After suspending or revoking the driving privilege of any
16 person who has been issued a CLP or CDL ~~or commercial driver~~
17 ~~instruction permit~~ from another jurisdiction, the Secretary
18 shall originate notification to such issuing jurisdiction
19 within 10 days.

20 (h) The "disqualifications" referred to in this Section
21 shall not be imposed upon any commercial motor vehicle driver,
22 by the Secretary of State, unless the prohibited action(s)
23 occurred after March 31, 1992.

24 (i) A person is disqualified from driving a commercial
25 motor vehicle in accordance with the following:

26 (1) For 6 months upon a first conviction of paragraph

1 (2) of subsection (b) or subsection (b-3) of Section 6-507
2 of this Code.

3 (2) For 2 years upon a second conviction of paragraph
4 (2) of subsection (b) or subsection (b-3) or any
5 combination of paragraphs (2) or (3) of subsection (b) or
6 subsections (b-3) or (b-5) of Section 6-507 of this Code
7 within a 10-year period if the second conviction is a
8 violation of paragraph (2) of subsection (b) or subsection
9 (b-3).

10 (3) For 3 years upon a third or subsequent conviction
11 of paragraph (2) of subsection (b) or subsection (b-3) or
12 any combination of paragraphs (2) or (3) of subsection (b)
13 or subsections (b-3) or (b-5) of Section 6-507 of this Code
14 within a 10-year period if the third or subsequent
15 conviction is a violation of paragraph (2) of subsection
16 (b) or subsection (b-3).

17 (4) For one year upon a first conviction of paragraph
18 (3) of subsection (b) or subsection (b-5) of Section 6-507
19 of this Code.

20 (5) For 3 years upon a second conviction of paragraph
21 (3) of subsection (b) or subsection (b-5) or any
22 combination of paragraphs (2) or (3) of subsection (b) or
23 subsections (b-3) or (b-5) of Section 6-507 of this Code
24 within a 10-year period if the second conviction is a
25 violation of paragraph (3) of subsection (b) or (b-5).

26 (6) For 5 years upon a third or subsequent conviction

1 of paragraph (3) of subsection (b) or subsection (b-5) or
2 any combination of paragraphs (2) or (3) of subsection (b)
3 or subsections (b-3) or (b-5) of Section 6-507 of this Code
4 within a 10-year period if the third or subsequent
5 conviction is a violation of paragraph (3) of subsection
6 (b) or (b-5).

7 (j) Disqualification for railroad-highway grade crossing
8 violation.

9 (1) General rule. A driver who is convicted of a
10 violation of a federal, State, or local law or regulation
11 pertaining to one of the following 6 offenses at a
12 railroad-highway grade crossing must be disqualified from
13 operating a commercial motor vehicle for the period of time
14 specified in paragraph (2) of this subsection (j) if the
15 offense was committed while operating a commercial motor
16 vehicle:

17 (i) For drivers who are not required to always
18 stop, failing to slow down and check that the tracks
19 are clear of an approaching train or railroad track
20 equipment, as described in subsection (a-5) of Section
21 11-1201 of this Code;

22 (ii) For drivers who are not required to always
23 stop, failing to stop before reaching the crossing, if
24 the tracks are not clear, as described in subsection
25 (a) of Section 11-1201 of this Code;

26 (iii) For drivers who are always required to stop,

1 failing to stop before driving onto the crossing, as
2 described in Section 11-1202 of this Code;

3 (iv) For all drivers, failing to have sufficient
4 space to drive completely through the crossing without
5 stopping, as described in subsection (b) of Section
6 11-1425 of this Code;

7 (v) For all drivers, failing to obey a traffic
8 control device or the directions of an enforcement
9 official at the crossing, as described in subdivision
10 (a)2 of Section 11-1201 of this Code;

11 (vi) For all drivers, failing to negotiate a
12 crossing because of insufficient undercarriage
13 clearance, as described in subsection (d-1) of Section
14 11-1201 of this Code.

15 (2) Duration of disqualification for railroad-highway
16 grade crossing violation.

17 (i) First violation. A driver must be disqualified
18 from operating a commercial motor vehicle for not less
19 than 60 days if the driver is convicted of a violation
20 described in paragraph (1) of this subsection (j) and,
21 in the three-year period preceding the conviction, the
22 driver had no convictions for a violation described in
23 paragraph (1) of this subsection (j).

24 (ii) Second violation. A driver must be
25 disqualified from operating a commercial motor vehicle
26 for not less than 120 days if the driver is convicted

1 of a violation described in paragraph (1) of this
2 subsection (j) and, in the three-year period preceding
3 the conviction, the driver had one other conviction for
4 a violation described in paragraph (1) of this
5 subsection (j) that was committed in a separate
6 incident.

7 (iii) Third or subsequent violation. A driver must
8 be disqualified from operating a commercial motor
9 vehicle for not less than one year if the driver is
10 convicted of a violation described in paragraph (1) of
11 this subsection (j) and, in the three-year period
12 preceding the conviction, the driver had 2 or more
13 other convictions for violations described in
14 paragraph (1) of this subsection (j) that were
15 committed in separate incidents.

16 (k) Upon notification of a disqualification of a driver's
17 commercial motor vehicle privileges imposed by the U.S.
18 Department of Transportation, Federal Motor Carrier Safety
19 Administration, in accordance with 49 C.F.R. 383.52, the
20 Secretary of State shall immediately record to the driving
21 record the notice of disqualification and confirm to the driver
22 the action that has been taken.

23 (Source: P.A. 96-544, eff. 1-1-10; 96-1080, eff. 7-16-10;
24 96-1244, eff. 1-1-11; 97-333, eff. 8-12-11.)

25 (625 ILCS 5/6-518) (from Ch. 95 1/2, par. 6-518)

1 Sec. 6-518. Notification of Traffic Convictions.

2 (a) Within 5 days after receiving a report of an Illinois
3 conviction, or other verified evidence, of any driver who has
4 been issued a CLP or CDL by another State, for a violation of
5 any law or local ordinance of this State, relating to motor
6 vehicle traffic control, other than parking violations,
7 committed in any motor vehicle, the Secretary of State must
8 notify the driver licensing authority which issued such CLP or
9 CDL of said conviction.

10 (b) Within 5 days after receiving a report of an Illinois
11 conviction, or other verified evidence, of any driver from
12 another state, for a violation of any law or local ordinance of
13 this State, relating to motor vehicle traffic control, other
14 than parking violations, committed in a commercial motor
15 vehicle, the Secretary of State must notify the driver
16 licensing authority which issued the person's driver's license
17 of the conviction.

18 (Source: P.A. 96-1080, eff. 7-16-10.)

19 (625 ILCS 5/6-523) (from Ch. 95 1/2, par. 6-523)

20 Sec. 6-523. Reciprocity.

21 (a) Notwithstanding any law to the contrary, a person may
22 drive a commercial motor vehicle in this State if the ~~such~~
23 person has a valid CDL, non-domiciled CDL, CLP, or
24 non-domiciled CLP ~~commercial driver's license or CDL~~
25 ~~instruction permit~~ issued by another State or foreign

1 jurisdiction as long as that ~~such~~ person has not been an
2 established domiciliary of this State for 30 days or more.

3 (b) The Secretary of State shall give out of state
4 convictions full faith and credit and treat them for
5 sanctioning purposes, under this UCCLA, just as if they
6 occurred in this State.

7 (c) A CLP or CDL issued by this State or any other state
8 before the date on and after which the state is prohibited from
9 issuing CLPs or CDLs under 49 C.F.R. Part 384, remains valid
10 until its stated expiration date.

11 (Source: P.A. 94-307, eff. 9-30-05.)

12 (625 ILCS 5/6-704) (from Ch. 95 1/2, par. 6-704)

13 Sec. 6-704. Applications for New Licenses.

14 Upon application for a license to drive, the licensing
15 authority in a party state shall ascertain whether the
16 applicant has ever held, or is the holder of a license to drive
17 issued by any other party state. The licensing authority in the
18 state where application is made shall not issue a license to
19 drive to the applicant if:

20 1. The applicant has held such a license, but the same has
21 been suspended by reason, in whole or in part, of a violation
22 and if such suspension period has not terminated.

23 2. The applicant has held such a license, but the same has
24 been revoked by reason, in whole or in part, of a violation and
25 if such revocation has not terminated, except that after the

1 expiration of one year from the date the license was revoked,
2 such person may make application for a new license if permitted
3 by law. The licensing authority may refuse to issue a license
4 to any such applicant if, after investigation, the licensing
5 authority determines that it will not be safe to grant to such
6 person the privilege of driving a motor vehicle on the public
7 highways.

8 3. The applicant is the holder of a license to drive issued
9 by another party state and currently in force unless the
10 applicant surrenders this such license, except that if an
11 applicant is applying only for a non-domiciled commercial
12 learner's permit or non-domiciled commercial driver's license,
13 the applicant is not required to surrender the license issued
14 by the applicant's state or country of domicile.

15 (Source: P.A. 76-1615.)

16 Section 99. Effective date. This Act takes effect July 1,
17 2014.

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2	Statutes amended in order of appearance	
3	625 ILCS 5/1-110.1a new	
4	625 ILCS 5/1-111.5	
5	625 ILCS 5/1-111.6	
6	625 ILCS 5/1-111.7a new	
7	625 ILCS 5/1-115.3	
8	625 ILCS 5/1-148.5a new	
9	625 ILCS 5/1-204.4	
10	625 ILCS 5/2-119	from Ch. 95 1/2, par. 2-119
11	625 ILCS 5/6-101	from Ch. 95 1/2, par. 6-101
12	625 ILCS 5/6-118	
13	625 ILCS 5/6-201	
14	625 ILCS 5/6-204	from Ch. 95 1/2, par. 6-204
15	625 ILCS 5/6-207	from Ch. 95 1/2, par. 6-207
16	625 ILCS 5/6-500	from Ch. 95 1/2, par. 6-500
17	625 ILCS 5/6-502	from Ch. 95 1/2, par. 6-502
18	625 ILCS 5/6-503	from Ch. 95 1/2, par. 6-503
19	625 ILCS 5/6-506	from Ch. 95 1/2, par. 6-506
20	625 ILCS 5/6-507	from Ch. 95 1/2, par. 6-507
21	625 ILCS 5/6-507.5 new	
22	625 ILCS 5/6-508	from Ch. 95 1/2, par. 6-508
23	625 ILCS 5/6-508.1	
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25	625 ILCS 5/6-510	from Ch. 95 1/2, par. 6-510

- 1 625 ILCS 5/6-511 from Ch. 95 1/2, par. 6-511
- 2 625 ILCS 5/6-512 from Ch. 95 1/2, par. 6-512
- 3 625 ILCS 5/6-512.5 new
- 4 625 ILCS 5/6-513 from Ch. 95 1/2, par. 6-513
- 5 625 ILCS 5/6-514 from Ch. 95 1/2, par. 6-514
- 6 625 ILCS 5/6-518 from Ch. 95 1/2, par. 6-518
- 7 625 ILCS 5/6-523 from Ch. 95 1/2, par. 6-523
- 8 625 ILCS 5/6-704 from Ch. 95 1/2, par. 6-704